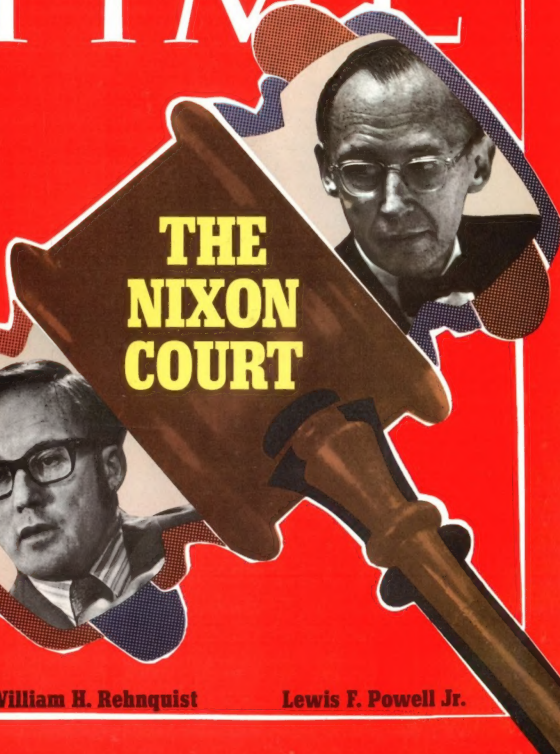


FIFTY CENTS

NOVEMBER 1, 1971

TIME



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William H. Rehnquist

Lewis F. Powell Jr.

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LETTERS

The Economy

Sir: Isn't it ironic that Phase II now requires the placing of controls and policing of an entire economy by a Republican Administration, traditionally committed to free enterprise.

Nixon many times pointed out that wage and price controls do not work. Now, presumably for political expediency, he is faced with the task of seeking vainly, like King Canute, to beat back the waves of inflation by a mixture of useless and impossibly confusing measures.

HENRY SCHINDALL
Pompano Beach, Fla.

Sir: It is exciting to see the direction given to the U.S. by the leadership of President Nixon as evidenced by new monetary policies, the call for largely voluntary restraints on prices and wages.

Realignment of world trade and currencies is undoubtedly overdue, and America will find that just changes in this area will be accepted by the major trading nations. But it is to be hoped that America does not press for too hasty or even unjust changes in world trade.

A.C. HAYLEN
South Yarra, Australia

Sir: I have but one question to ask TIME's Board of Economists: If constant annual growth of the G.N.P. is so vital to the welfare of nations, what happens when 1) our nonrenewable resources are exhausted and 2) we run out of space to expand

into? Surely this is the ultimate legacy of the constant-growth syndrome. It appears that we are sacrificing tomorrow in order to solve the problems of today.

RICHARD H. RUSSELL
Edmonton, Alta.

Sir: Our descendants will laugh at us for having used gold as a basis for a monetary system just as we laugh at our ancestors for having used fish as money. I fail to see how the world's brilliant Finance Ministers can place such importance on gold, which in the past few decades has only doubled in supply, while world trade has increased tenfold.

John Connally is definitely right—gold makes great jewelry.

SAMUEL B. GARBER
Greensboro, N.C.

Deserved Embarrassment

Sir: Your writer uses a form of the word embarrass no fewer than four times in describing Cardinal Mindszenty [Oct. 11]. Perhaps the cardinal has become a diplomatic anachronism. But if we can smuggly call a man who endured 23 years of confinement for his convictions an "embarrassment," perhaps we really deserve to be embarrassed more often.

ELIZABETH C. RAMSEY
Lexington, Va.

Sir: Cardinal Mindszenty's exile was certainly not "a wasteful expense of spirit." He served as a source of strength all over

the world. The writer of your article must be a lily-livered, milk-toast egghead who would have cracked after the first day at the hands of the Communists.

HARRY A.M. RUSH JR.
East Millinocket, Me.

Sir: Cardinal Mindszenty will ever remain a symbol of truth and freedom. But those who sacrifice inalienable principles must endure subtle embarrassment—or impute it with empathy.

(THE REV.) JULIUS H. LANG
Naples, Fla.

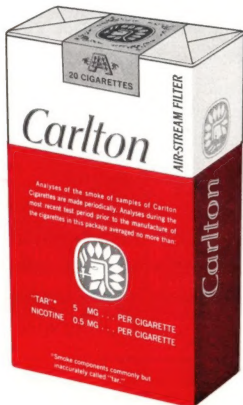
Malcolm X as Witness

Sir: Re your Essay "Styles in Martyrdom" [Oct. 11] far from being a man of "uncertain faith or none at all," Malcolm X was a witness to the oneness (not trinity) of the Creator and to the oneness of all mankind. He was killed because he rejected the racism of a creed that was the product of a racist society. He demanded that his people strive for their God-given "human" rather than "civil" rights. We as Muslims consider that our brother El-Hajj Malik El-Shabazz (Malcolm X) was martyred because of his faith in God and his rejection of racism and injustice.

ABRAHAM AL-JAMALI
WARIS COWLES
HISHAM ALTALIB
West Lafayette, Ind.

Seventh Army's Problem

Sir: While General Davison's efforts to improve conditions in the Seventh Army are to be applauded [Oct. 4], they are none



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Government
figures show
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theless doomed to failure. What ails the Seventh Army cannot be cured by money or sympathetic leadership; the problem lies much deeper. After eight years of frustration in Viet Nam, can you really expect a sane man to participate in a land war anywhere?

GREGORY A. BROWN
Würzburg, West Germany

Sir: At least 90% of the people here have developed a "mox nix" attitude. We have our "hashaholics," who can see no sense in what they are doing. We have our alcoholics, who don't know what they are doing. And we have our straight people, who just don't care what they are doing.

For these reasons, we seriously doubt the combat readiness of the "advance guard" of M Company, 3rd Squadron, 2nd Armored Cavalry Regiment.

MICHAEL SULLIVAN
Amberg, West Germany

Sir: From 10 January, 1968 until 21 July, 1970, I served as a personnel management specialist with the 575th Personnel Services Company, Darmstadt, Germany.

The Army during my stay in Germany was far from a utopia. Nevertheless, in my visits to many of the units in the 1st Support Brigade and the 57th Ordnance Brigade, I never saw a billet as unkempt or abused as the ones you depicted in your article.

I doubt that these were in actual use as billets for troops. There would have been little excuse for the unpainted walls mentioned in your story or even for the broken windows.

General policy a year ago was that these things were repaired by the troops

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on duty time. Granted, the buildings were old and the plumbing at times needed repair. But American troops are not living as you have reported.

ANTHONY F. CAMPAGNA
Warwick, R.I.

Sir: The cause of the problem lies in a relaxation of discipline, not only at unit level but right up the line to the men deciding on paper what the soldier will do in the field. I am not suggesting a return to the old "brown boot" Army, but only to an army where each man knows who is who, does his job and has respect not only for his superiors and peers but for himself and his job.

Men like General Davison are the ones who can do the job of making an army out of a collection of men wearing green clothes. But they need the support of the men themselves, and the question is, can they get it?

SP4 J.R. GILBERT
Wiesbaden, West Germany

Polygamy as a Practical Matter

Sir: In all fairness to members of the Church of Jesus Christ of Latter-day Saints [Oct. 11], it should be pointed out that the great majority of Mormons today neither practice nor support polygamy.

The belief of the Mormons was and still is that marriage is a vital step in attaining the fullness of purpose in life. The practice of polygamy was begun as a practical matter. Because of the great number of women and small number of men during the early days of the church's restoration, the pioneer Mormon men took several wives so all women would have a chance to marry. This practice was discontinued before Utah became a state.

(MRS.) JAN BODINE
New York City

Sir: In this day of overpopulation and pollution, polygamy is the last thing we need. Furthermore, no man can sexually satisfy more than one woman, while one woman can sexually satisfy several men. Things should be reversed—one woman with several husbands. The advantages would be obvious: there would be a big reduction in the number of births; the plural husbands would be able to support one wife in real style; the children would have more protection; and the wife and husbands would be sexually satisfied.

(MRS.) JOAN SELLEY
Maitland, Fla.

Sir: While living with three wives is not my idea of an ideal life, it seems to me that this is a matter of manners and morals that should be left strictly to the individual. As for the children, I'm sure their lot would be no worse than in most monogamous marriages.

WILLIAM GAMBLE
South Laguna, Calif.

Wash, Rake and Sweep

Sir: Your article "Squeezing the Schools" [Oct. 4] reports how money problems have forced cutbacks in programs, maintenance, sports, etc. Isn't it time that the public system learned something from the private schools?

A number of private schools for years have been letting the students, rather than paid janitors, sweep the floors, take care of the grounds and carry out other routine maintenance. Teachers are expensive, but so are other services and supplies. Vocational classes might do

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...as the cities blossom with a frenzy of traffic, crowds and a blaze of neon.



sits down to the tea ceremony

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well to keep up the heating and plumbing systems, the brickwork, the paint, and replace broken windows or burned-out bulbs.

Perhaps repairing the windows they break would teach youngsters more respect for items that cost money. And why shouldn't a football player pay for damage to his equipment?

RICHARD F. WOJCICHOWSKI
Hampton, Va.

More Than Crunching

Sir: Please, no more quotes from guys like the Rams' Deacon Jones: "I hope to end Archie Manning's career the next time we meet" [Oct. 11]. I love football. I believe it's more than goons crunching each other. Don't spoil it for me.

JAY TAYLOR
Tucson, Ariz.

Japanese Idiom

Sir: My Japanese friends and I were surprised and amused by your translation of *Ten-chun*, the nickname of the young Japanese for their Emperor, as "Heavenly Boy." The phrase is impossible to translate, however, so your version is perhaps understandable. *Ten* is a shortened form of *tenno heika*, which the Japanese use when referring to their Emperor. Literally, *ten* means "heaven," *no* means "king," and *heika* means "his majesty." But the phrase *Ten-chun* is idiomatic. When I asked one friend how he would render it into English, he unhesitatingly replied: "Emp."

PATRICIA DEARING
Tachikawa, Japan

Words from On High

Sir: I maintain that it is the tall man who is a victim of discrimination [Oct. 4]. Standing 6 ft. 3½ in. tall, I shudder whenever I enter a clothing store and the oft repeated apology rings in my ears: "Sorry, but you tall guys are less than 10% of the customers, so there's no profit in stocking up on long sizes."

Everything is geared to the average size of people 50 years ago. Look at the height of the average kitchen or bathroom sink, doorknob, table and the like. It is even difficult to find enough room in the front seat of many cars.

But people are growing taller. The average height for a full-grown male under age 30 is 5 ft. 10½ in. Yes, Mr. Feldman, time is on our side.

ALBERT GENT ROBERTO
Buffalo

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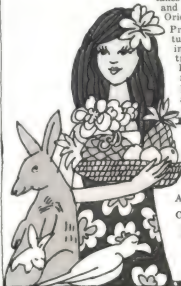
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If he refuses, he automatically loses his license.

If he agrees, he's asked to answer a few questions and then asked to take a simple physical test. He's asked to touch his nose with his finger and to walk a straight line.

He'll try his best because he knows there's a video tape camera sitting across the room from him.

He knows that it's recording everything he does.

When his case comes up in court, the prosecutor will play the tape on a TV monitor for the judge and jury.

As sober and well-mannered as the suspect may appear on the witness stand, when the tape is played, there's little room left for doubt about his condition at the time of the arrest.

Especially when the tape is used as evidence along with a verified BAC (Blood Alcohol Concentration), taken at the same time.

If this sounds like a harsh measure, remember that many of the drunk drivers who are convicted are problem drinkers who need help.

And the quicker they can be convicted, the quicker the courts can "sentence" them into a helpful program.

The use of video tape equipment by the police and courts is only part of the program being conducted in Denver. Through their total effort and through efforts made by other Alcohol Safety Action Programs across the country, the National Highway Traffic Safety Administration expects to come up with recommendations for an effective nationwide program to stop drunk driving.


State Farm supports this effort because nearly thirty thousand drivers, passengers and pedestrians were killed last year in alcohol-related accidents.

The goal is to have 86 Alcohol Safety Action Programs throughout the country. To find out more about the programs and to find out what you can do to help them, write the National Highway Traffic Safety Administration, Department of Transportation, Washington, D.C. 20590



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A gift of diamonds need not be expensive.
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The Renault that turned the
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Renault workers got citations.



1924.

The Renault that made the
first motor
crossing of the Sahara.



1956.

The Renault that set a world's
speed record at
famous Salt Lake City flats.



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The Renault 10 arrives in U.S.A.
It gets up to 35 mpg
and gains a very solid following.



1968.

The front-wheel drive Renault 16
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ning "Car of the Year" in Europe.



1971.

Renault Alpines take 1st, 2nd, 3rd
in Monte Carlo against
cars like Lancia and Porsche.

Introducing a car that's much more than you expect.



The front-wheel drive Renault 12.

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We can promise you uncanny road holding and better handling because the drive wheels are in

front, and the engine is over them for better traction.

We produce more front-wheel drive cars than anybody in the world. Over a million a year. So it shouldn't be surprising that we know how to bring you the best that front-wheel drive has to offer.

It is 7" longer than the Pinto. So besides more leg room, it has

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Its engine is essentially the same superb power plant that swept MonteCarlo. As is the ultra-precise rack-and-pinion steering.

With this car, we think we have a solid gold winner. And we know America likes a winner.

It is something we learned in 1909.



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THE NATION

AMERICAN NOTES

The Disposable Sullivans

After the great Chicago fire—100 years ago last month—the city rebuilt itself in an original and handsome style that became one of its proud distinctions. Chicago may have been Sandburg's "Hog Butcher," but there was also the Chicago school of architecture. None of the city's architects surpassed Louis Sullivan, whose buildings combined elegant ornament with a functional austerity that was to influence the imaginations of great 20th century builders like Frank Lloyd Wright.

There is a certain civic perversity in the fact that Chicago is in the process of destroying Sullivan's works. Of the 92 Sullivan buildings once standing there, 66 have been demolished, mostly by developers who wanted to replace them with more profitable office buildings or parking garages. Some important Sullivan structures remain—the Carson Pirie Scott department store, for example. But wreckers are now at work on the last Sullivan office building in the Loop, the 13-story Old Stock Exchange, a landmark completed in 1894. Said a special mayor's committee: "It was economically and structurally unfeasible to continue to use the building." Mayor Richard Daley added that more than 20 developers had been contacted and none were willing to take over the landmark in its present form. It would have cost \$12 million to acquire the building and another \$4 million to renovate it.

The practical necessities of change v.

impractical, even sentimental preservation is ever a difficult question. But at some point Chicago, like the rest of the nation, is going to have to decide that its vintage artifacts of genius are not disposable like emptied cans or old tires.

Hair in Retreat

Most of the nation has tired of flogging the question of long hair, but not the U.S. Army. In the face of ever-dwindling numbers of volunteers, the Department of the Army asked the N.W. Ayer & Sons advertising agency to launch a recruiting campaign. One theme: WE CARE MORE ABOUT HOW YOU THINK THAN HOW YOU CUT YOUR HAIR.

But the hair quickly got out of hand. Department of the Army message 062046Z, October 1971 states the complaint: the Army "considered that the modification of the allowable hair styles would be a credible indication that the Army was changing and placing emphasis on more important aspects of service. It was not anticipated that the change in haircut policy would become an issue in some units and between various groups within the Army." What is more, although the youth pictured in the Ayer ad looks well trimmed by contemporary standards, the circular emphasizes that he "does not repeat does not illustrate a soldier meeting the standards set by AR 600-20." The offending ad will soon be dropped "because of the possible misinterpretation that the Army is more permissive—which it is not—and that the Army condones long, unkempt hair—which it does not."

Nixon's Court

IN the new scale of Nixonian surprises, it registered only as a medium astonishment. Yet the President's nominations to fill the two vacant Supreme Court seats were delivered last week in a shrewd performance that left his critics, for the moment, in contortions of simultaneous dismay and relief.

For days a bitter storm had been rising over the evident mediocrity of the candidates the President was considering for the distinguished chairs of John Harlan and the late Hugo Black. As Nixon settled behind his desk in the Oval Office to announce his choices over television, he was almost universally expected to appoint Little Rock Lawyer Herschel Friday and California Court of Appeals Judge Mildred Lillie—nominees widely regarded as obscure and unsatisfactory. It looked like Haynsworth and Carswell all over again, some Senators predicted, with another vitriolic fight over confirmation. "As a group," Edward Kennedy had said, the six candidates Nixon was known to be considering reflected "utter contempt for the court."

Warren's End

In a little more than a quarter of an hour, Nixon overturned these expectations and very probably accomplished an enduring change in American judicial history. In Assistant Attorney General William H. Rehnquist and Richmond Lawyer Lewis F. Powell Jr. (see box, pages 18-19), the President appointed men who conform to his standards of "judicial conservatism." Yet, especially in comparison with the dimmer talents that he had been considering, Rehnquist and Powell possess sufficient legal distinction to still most professional criticism and make their Senate confirmation seem probable.

If confirmed, Rehnquist and Powell will join the President's two other appointees, Chief Justice Warren Burger and Justice Harry Blackmun. The old liberal, activist Warren majority has now shrunk to three: Justices William Brennan Jr., 65; Thurgood Marshall, 63; and William O. Douglas, 73. Holding four seats, the conservative Nixon Justices will also be a minority, with the balance of power exercised in the middle by Potter Stewart, 56, and Byron White, 54. But the bench will have been heavily tipped to the right by the Nixon bloc. It is now virtually a Nixon court.

The process that eventually yielded Rehnquist and Powell last week began shortly after Nixon took the oath of office. Knowing that he would have at least one seat to fill—Warren had announced he was retiring—Nixon asked Attorney General John Mitchell to prepare a list of names for consideration. For several weeks early in 1969, Dep-

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Its Making and Its Meaning

ity Attorney General Richard Kleindienst and his aides researched the records of lawyers, judges and law professors across the nation. They were guided by three basic criteria. The first was Nixon's preference for prior judicial experience—a requirement he waived last week for Rehnquist and Powell, neither of whom has had experience on the bench. Next, the President wanted comparative youthfulness; again, Nixon relaxed the standard in the case of Powell, who is 64 (Rehnquist is a comparatively youthful 47).

Twin Defeats

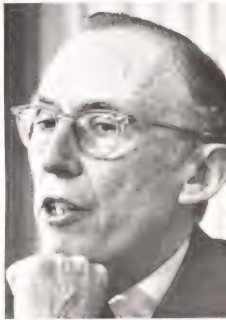
The President's third and most important requirement was that the nominee fit his definition of "strict constructionism." The term is elusive and, to some, meaningless. Says the University of Chicago Law School's Harry Kalven: "The Constitution is full of grand ambiguities. How can you have strict construction of a grand ambiguity? The real issue is: What is responsible justice?" Last week in his television speech, Nixon suggested his own definition: "It is my belief that it is the duty of a judge to interpret the Constitution and not to place himself above the Constitution. He should not twist or bend the Constitution in order to perpetuate his personal, political and social views."

Kleindienst assembled a master list of more than 100 names, weighted in favor of judges. Only two or three women were on it. Many judges were excluded on grounds of age (65 or older) or ideology (too liberal and activist). Kleindienst pared the prospects down to 30, then, with Mitchell, reduced it to five. From that list, Nixon selected Burger and Haynsworth, Carswell and Blackmun were taken from the list of 30. In replacing Earl Warren, the President encountered no difficulty when he appointed Burger, a solid and magisterial Minnesotan. It was when he moved to fill Abe Fortas' seat with a Southern conservative that Nixon embarked on two of the nastiest fights of his presidency. Both South Carolina's Clement Haynsworth and Florida's G. Harold Carswell were rejected by the Senate. The twin defeats infuriated Nixon, but he finally turned to Harry Blackmun, a diligent, uncontroversial Minnesota jurist who was quickly confirmed.

There have been only three justices older than Powell at the time of their appointments: Horace H. Lurton, 69; Charles Evans Hughes, 68; and Harlan Stone, 69.

Nixon's first choice for a successor to Hugo Black was Virginia Representative Richard Poll, a Republican conservative admired for legal acumen by his colleagues in the House. The President was prepared to nominate Poll without further consideration. But the Congressman, who had said that his life's ambition was to sit on the Supreme Court, abruptly withdrew his name from consideration, unwilling to subject himself to the investigation and debate that he knew would follow. Mitchell then came up with Charles Clark of Mississippi and Paul Roney of Florida, both of whom Nixon had appointed to the Fifth Circuit Court of Appeals. Roney is a Republican lawyer with no prior judicial experience. Clark, a Mississippi lawyer, likewise had no ear-

PRESIDENT NIXON
REHNQUIST & POWELL



lier experience on the bench. Another Mitchell suggestion was Herschel Friday, a prominent Little Rock attorney who for 14 years had compiled a record of unsuccessful efforts to defend Arkansas school boards against desegregation. His firm's fees for such cases amounted to some \$220,000.

Heated Outcry

A fourth name, from a border state, that of West Virginia's Senator Robert Byrd, appeared on the list of prospects, but he was never under serious consideration. After Nixon accompanied Byrd two weeks ago on a one-day trip to West Virginia, the *Washington Daily News* reported that Byrd was the President's personal choice for Black's seat.

The report was false; the White House assumption is that the Senator or his political allies floated the rumor, and to avoid antagonizing Byrd, who is the Senate majority whip, the Administration added his name to the list submitted to the American Bar Association for prior consultation. The gesture considerably heated up the outcry against the entire slate, since Byrd was once an active organizer for the Ku Klux Klan, had only earned his law degree—from night school—in 1963, and had never been admitted to the bar.

When John Harlan announced his retirement a week after Black, Mitchell and Kleindienst did not feel bound by any regional requirement. Speculation began about filling Harlan's chair with

the court's first woman Justice. Women's groups lobbied for the idea, and Pat Nixon told a reporter: "If he doesn't appoint a woman, he's going to have to see me." Thus, for the first time, Mitchell and Kleindienst had to ignore their list. All the qualified women, they felt, were either Democrats or liberals.

If the Woman Crises

Finally, Mitchell and Kleindienst agreed on Mildred Lillie, a diligent and attractive California Court of Appeals judge with a firm record on law-and-order. As a Los Angeles County Superior Court judge in 1951, it was Mrs. Lillie who denied Ingrid Bergman permission to have a summer visit from her daughter, Pia Lindstrom, after the actress had left her family for Roberto Rossellini. In divorce cases, Judge Lillie practiced marriage counseling from the bench; one of her theories was that if the wife was crying at the hearing, the marriage could be saved. Her talents as a legal thinker were, many experts agreed, pedestrian.

vard Law School faculty members signed a petition protesting the nominees. Even conservative Republican Senators who had battled for Carswell were privately contemptuous. As the uproar continued, it became clear that even most of the White House staff regarded the choices as a disaster. John Mitchell held a background briefing for reporters in his office. Actually, he said, 15 names were under consideration. But that was a smokescreen. The fact was that Nixon meant to nominate Herschel Friday and Mildred Lillie.

Then came the most damaging criticism. The A.B.A.'s judiciary committee, a broadly varied group of twelve lawyers from across the nation, completed its investigations of Friday and Lillie. By its rules, eight of the twelve must approve in order that a nominee be deemed qualified. The committee split 6-6 on Friday. On Judge Lillie, the vote was 11-1 against. The White House mood was one of barely controlled fury. Nixon's congressional- liaison team advised the

Rose Mary Woods. She typed one copy and returned it to Nixon. The President spent much of Thursday alone in his sanctum in the Executive Office Building next door to the White House, working on the single existing copy of his speech, which he edited and polished until just before his broadcast at 7:30 p.m.

Savored Suspense

An extraordinary secrecy prevailed. Nixon was angered by the disclosure of his list of six. White House advisers did not learn of the new choices until just before the broadcast. Nor did Herschel Friday and Judge Lillie, who got the word just an hour before the President went on television. Rumors caromed through the White House. The President himself, rather theatrically, said later: "I didn't know until the last minute which way I would go." At 7:21, the Associated Press sent out a bulletin that Nixon was about to appoint Rehnquist and U.S. Court of Appeals



The Administration chose a list of six candidates* to send to the American Bar Association's Committee on Federal Judiciary. After the defeat of Haynsworth and Carswell, the Administration had arranged to have the A.B.A. investigate possible nominees before their names went to the Senate. Nina Totenberg, a reporter who covers the Justice Department and the Supreme Court for the *National Observer*, learned that a list of possible nominees had been sent to the A.B.A.'s judiciary committee. "I put in about 50 calls to courts and law schools all over the country," says Miss Totenberg. After five hours on the telephone, she had assembled the complete list and sent it out on the Dow Jones news wire. Oddly enough, she talked frequently with Rehnquist that day but got no intimation that he was under consideration. He did not know it himself.

When the list became public knowledge two weeks ago, lawyers, newspapers and magazines across the nation set up an incredulous outcry. Thirty-four Har-

vard Law School faculty members signed a petition protesting the nominees. Even conservative Republican Senators who had battled for Carswell were privately contemptuous. As the uproar continued, it became clear that even most of the White House staff regarded the choices as a disaster. John Mitchell held a background briefing for reporters in his office. Actually, he said, 15 names were under consideration. But that was a smokescreen. The fact was that Nixon meant to nominate Herschel Friday and Mildred Lillie.

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President that he would face another ruinous battle in the Senate if he stuck with Friday and Mrs. Lillie. For Nixon, who told aides that his court appointments would determine his place in history, it had the lineaments of one of his Six Crises.

Judge Arlin Adams of Philadelphia. A few moments later, Nixon went on the air.

The President plainly savored the suspense. He began with what seemed a deliberately tantalizing roll call of the kinds of people being urged on him for the court—Senators, Congressmen, a woman. He delivered a short lecture on "judicial conservatism." Finally, to the general bewilderment, he recited the name of Lewis Powell, then that of William Rehnquist. After the months in which his Supreme Court nominations had been condemned as second-rate, Nixon relished repeating the words excellence and distinction.

Natural Counter

To Nixon's jubilation, his choices came close to producing utter surprise. White House advisers insist that although Friday and Lillie had been the leading candidates, a back-up list including Rehnquist and Powell. An understandably Machiavellian theory immediately surfaced that Nixon had deliberately sent out his list of six while intending all along to nominate Rehnquist and Powell, their names preserved from advance criticism. In that way, according to the theory, the less than distinguished earlier possibilities would

* Although her name appeared on the list of possibilities, District of Columbia Superior Court Judge Sylvia Bacon was never seriously considered.

make the final choices seem, by comparison, Olympians of the bar.

But the theory was wrong. Except for the A.B.A.'s adverse reports and the accumulation of criticism from other quarters, Nixon would have nominated Friday and Mrs. Lillie. When those two main candidates became too much of a political risk, Nixon and Mitchell fished elsewhere. Powell, as a former A.B.A. president and an impressive legal figure who had long been among the Administration's candidates, was a natural counter to the "mediocrity" argument.

The case of Rehnquist is more intriguing. He was, ironically, one of the chief architects of Mitchell's list of nominees, working closely with Kleindienst. Rehnquist seems to have had a strong internal White House lobby, advertising his gifts. In any case, it was a sign of either haste or secrecy that Rehnquist's three children, watching the President's address, gasped when they heard their father's name. It was the first they knew of his nomination.



ATTORNEY GENERAL MITCHELL
Call for conservatism.

seemly and even a bit cruel to subject potential candidates to such sudden and often aggressively hostile scrutiny.

But as the A.B.A.'s Lawrence Walsh argues, it makes good sense to circulate names of possible Supreme Court candidates before nomination. For one thing, opinions are much more candid than they would be if a man is already appointed and confirmation seems likely. Besides, Government secrecy is already several chapters past the ludicrous. Why should Supreme Court nominations be treated with the obscure Price Waterhouse precautions of an Academy Award selection? However embarrassing, the process of prior consultation in this case worked to the advantage of the court and of Nixon himself.

Blunted Shift

In his speech, Nixon sportily called the Supreme Court "the fastest track in the nation." But the better analogy is not to horse racing but to football, one of the human experiences that genuinely excite the President. He huddled with his players, called a play, went to the line, read the defense like a good quarterback and then called an audible from scrimmage: an end sweep.

The opposing team, as Nixon intended, seemed at least temporarily baffled. Edward Kennedy, like other Senate liberals, was almost flat-footedly cautious, saying that he was glad Nixon "has pulled back from the brink he was approaching." Edmund Muskie, the front-running Democratic presidential non-candidate, declared: "I'll approach the nominations with a positive attitude." Senate Republicans sighed in relief. Said G.O.P. National Chairman Robert Dole: "They'll sail right through."

Not quite. Of the two nominees, Powell seems "cleaner." He does not appear to be heading for trouble with civil rights groups, since he has a reputation as a racial moderate. Rehnquist, however, will probably invite closer examination because of his role as a Justice Department spokesman endorsing the mass arrests last May Day in Washington, and because of his resolutely truculent views on the rights of dissent.



LAWRENCE E. WALSH
Rebuke to mediocrity.

In Nixon's view, "the delicate balance between the rights of society and defendants accused of crime"—as he put it in his TV address—now needs to be tipped toward society. "As a judicial conservative, I believe some court decisions have gone too far in the past in weakening the peace forces as against the criminal forces in our society." With two of his nominees sitting since last year, the process had already begun to be reversed. Arvoh Neier, executive director of the American Civil Liberties Union, recalled last week that the A.C.L.U. generally won 80% of its cases during Earl Warren's Chief Justiceship; last year the ratio was down to 50%. With the two new appointees, Neier guesses, "our win rate will probably decline further."

Indeed, it is clear beyond argument that the liberal activism that characterized the Warren years is now at an end. But the shift to a new direction that will follow the likely confirmation of Powell and Rehnquist will not necessarily be sharp or immediate.

New Justice Syndrome

Actually, in the short run the President's cause may have suffered a minor setback. The court is scheduled to hear arguments this term on the Administration's contention that it needs no warrant to wiretap persons who it decides are a threat to national security. Rehnquist had been active in the Justice Department during its preparation of the case, and so will probably have to disqualify himself. Since the late Justice Black would probably have supported the Government position, the Rehnquist disqualification will cost the Administration a vote that could be crucial. Rehnquist may similarly have to



Harry A. Blackmun
Minn.
1970 by Nixon



William H. Rehnquist
Ariz.
1971 by Nixon

Nixon's abandoning his earlier list came as a relief even to his own Cabinet. One Cabinet officer exclaimed after the speech: "Thank God the parachute opened!" The episode was a measure of Nixon's growing sense of self-confidence. The White House staff regarded it as a triumph. "In the end," said one adviser, "he opted for excellence. I got the clear impression that the President was saying, 'I'll never appoint another Carswell. I'll never appoint another mediocrity.'" The notion was not entirely convincing. He had been prepared to nominate two legal figures with less than distinguished credentials.

In all, Nixon emerged looking somewhat better than he deserved. As soon as the President had ended his speech, Mitchell released the text of a letter canceling the Administration's arrangement to consult the A.B.A. before making any further nominations. Because the names were leaked, Mitchell said, the process could not work. There was some sense that the Administration was trying to shift the blame for the quality of the candidates on to the A.B.A. What role the A.B.A. should play in nominations is a tough question, Friday and Mrs. Lillie now find themselves stigmatized as "unfit." It can be un-

how out of some other important cases involving the Government.

Also operating to blunt any sudden shift by the court will be the "new Justice syndrome." Stanford Criminal Law Professor Anthony Amsterdam, a former Felix Frankfurter clerk, explains: "Any time you have a closely divided court and you have one or more replacements, for a time you have an unsettled power balance. People are feeling each other out, seeing where they go, realigning, seeing who their comrades are. There is a kind of disinclination to put people on the spot, to take polar positions which force new people to define themselves."

Nonetheless, a coalition of the four Nixon nominees will almost certainly emerge. Warren Burger and Harry

Blackmun have already displayed astonishing unanimity, differing only on one major case last year. Though he is not likely to prove quite so imitative, Powell can be expected to fit often into the Burger-Blackmun approach, which one constitutional law professor describes as "an intuitive sort of conservatism." Not so Rehnquist. His legal conservatism, according to friends, is already highly developed along a more philosophically purist line: he is thought to be more likely than the other three to follow his convictions to the bitter end, regardless of the practical consequences. Despite differences in their lines of reasoning, most of the time the four will vote for the same result—and in the opinion of virtually all court scholars, will frequently attract the extra

vote needed to make a majority. What, then, will the court be saying? Likely answers in two major areas:

CRIMINAL LAW. This is the President's special concern, and it is where the court can be expected to retreat most notably from some of the ground broken by the Warren court. The principal target will be the *Miranda* decision, which requires police to inform suspects of their rights to silence and to counsel. Most authorities—except the police themselves—agree that *Miranda* and other Warren court decisions have not hampered law enforcement efforts appreciably, if at all. Stanford's Amsterdam claims that in practice the rights are meaningless. One federal trial judge is now betting all comers a quarter that *Miranda* will be reversed outright.

The President's Two Nominees

LEWIS F. POWELL JR. "I have never aspired to the Supreme Court," says Lewis Franklin Powell Jr., 64. Indeed, he so much preferred his own life as a distinguished Virginia lawyer that when his name was proposed for the court, during the Haynsworth-Carswell fracas, he wrote a letter to Attorney General John Mitchell saying he was too old for the job. The passing of time has not made Powell any younger, to be sure, but it has convinced President Nixon that the original proposal was a good one. "Ten years of Powell," he said last week, "is worth 30 years of anyone else."

Powell is indeed sprightly for his age. Slim (to fit, 155 lbs.) and well-conditioned (smoking only an occasional cigarette and preferring a glass of milk to a cocktail), Powell is an avid hunter of duck and quail and still likes to run his wife Josephine in an energetic game of tennis. Says he: "I used to play golf, but I married a tennis player." At work he is tireless, appearing at his desk around 8 o'clock every morning, including Saturdays and Sundays. Longevity runs in the family: his widowed

father remarried seven years ago and is still flourishing at 91.

Powell's family heritage well qualifies him for nomination to the Supreme Court's "Southern seat." The first Powell to land in America arrived in 1607, one of the original Jamestown colonists. Powell himself was born in Suffolk, Va., won undergraduate and law degrees from Washington and Lee (Phi Beta Kappa and first in his class) and Harvard Law School, and now occupies an office overlooking a Richmond landmark, the home of Robert E. Lee.

Partly because of these very traditions, however, Powell stands out against the stereotype of the segregationist. When some Virginians were trying to launch a policy of "interposition" against federally enforced integration of schools, Powell denounced the doctrine as "a lot of rot." As chairman of the Richmond public school board, he presided over the successful, disturbance-free integration of the city's schools in 1959. No sooner had he been nominated to the Supreme Court, in fact, than he won the endorsement of Virginia N.A.A.C.P. leaders.

As a lawyer, Powell has been a partner for 34 years in Virginia's biggest and most powerful firm, Hunton, Williams, Gay, Powell & Gibson. In time, his courtly ways combined with his talent for organization to make him a power in the profession; president of the American Bar Association (1964-65), president of the American College of Trial Lawyers (1969-70), president of the American Bar Foundation (1969-71). As head of the A.B.A., he was credited with efforts to speed courtroom procedures and to provide legal aid to the needy. All in all, says Professor Jon R. Walz of Northwestern, Powell is "a very fine lawyer, justified to sit in the seat of John Harlan. For the first time in a long, long while the court will have a new man who has demonstrated he can work with the

law, and that he can do it superbly."

But is he, as Nixon has demanded of all his court nominees, a "strict constructionist," a believer in limiting courts to the letter of the law? "I don't categorize myself," says Powell. "I think of myself basically as a lawyer with a wide spectrum of experience. My views may be liberal on one issue and conservative on another. I regard myself as an independent Democrat, but I've felt free to vote my convictions without regard to party."

On the one legal issue that seems to concern Nixon most, Powell is outspokenly conservative. "There are valid reasons for criminals to think that crime does pay, and that slow and fumbling justice can be evaded," he said a few years ago, inferentially blaming this on some decisions of the Warren court. "The pendulum may have swung too far in favor of affording rights which are abused by criminals." The President echoed those lines in his TV remarks.

Powell sees connections between the Soviets and the American left. "The radical left, strongly led and with a growing base of support, is plotting violence and revolution," he wrote recently. "Its leaders visit and collaborate with foreign Communist enemies." To combat such activities the Government should be free to tap telephones. These views so pleased J. Edgar Hoover that he had Powell's statement reprinted in the FBI law-enforcement bulletin. Nixon, too, was presumably satisfied. Powell is not only a great Virginian, he said, but "a very great American."

WILLIAM H. REHNQUIST. At a time when President Nixon's nominations for the Supreme Court were still totally unknown, somebody asked Assistant Attorney General William Rehnquist whether he thought he had any chance of getting the job. None at all, Rehnquist said with a smile, "because I'm not from the South, I'm not a woman, and I'm not mediocre."

Rehnquist is an active Goldwater-style Republican who worked as a precinct committeeman during the pres-

LEWIS POWELL & WIFE



Others have suggested that it will simply be eroded. The right to counsel can probably not be materially cut back; whether it will be extended is another matter. The right to a unanimous jury verdict in criminal cases is also before the court and may go down in the name of increased courtroom efficiency. A possible major target for the future: the current rule that illegally obtained evidence cannot be used.

RACE Here the experts feel that there will be little retreat. Last spring's authorization of busing in once-segregated Southern school districts was unanimous, and the principle of social equality seems too firmly established both in legislation and in the court's long line of constitutional interpretations since 1954's *Brown v. Board of Education*.

Says Jack Greenberg, director-counsel of the N.A.A.C.P. Legal Defense Fund: "I think the court will protect racial minorities as it has historically. One of the things about conservatives is that they follow precedent." Precedent, however, is not strong on Northern-style *de facto* segregation, and the court may well not feel required to press into such new territory.

Generally, in fact, except on criminal questions and perhaps on obscenity, the court will not retreat in major ways from Warren court decisions. Observes Constitutional Law Professor Philip Kurland of the University of Chicago: "After you break an egg, you can scramble it, but you can't put it back together." Instead, the Justices will simply not march onward.

"The court will be less venturesome in staking out new positions," contends Kurland's Chicago colleague, Phil Neal. As a result, new constitutional claims by a variety of special-interest groups—tenants, ecologists, the poor, welfare recipients, consumers—are not likely to be warmly received. A similar desire to stay out of new constitutional waters may well doom such pending contentions as the claim that the death penalty is cruel and inhuman punishment, thus a violation of the Eighth Amendment.

Whatever other dangers the new course may contain, the Nixon court will not be issuing the sweeping sort of constitutional commands that even some liberal critics of the Warren era thought amounted to judicial legislating. And with the court out of the legislating



WILLIAM REHNQUIST & FAMILY IN MCLEAN, VA.

idental campaign of his fellow Arizonan. But even those who disagree with his conservative views concede his keen intelligence and professional skill. Born in Milwaukee in 1924, Rehnquist went to college and law school at Stanford, made Phi Beta Kappa, graduated first in his law class, and then won the honor of serving a year as legal clerk to the late Justice Robert H. Jackson.

After marrying a California girl, Natalie Cornell, Rehnquist moved to Phoenix, Ariz., and went into private law practice, engaging in a wide variety of what he calls "cats and dogs" legal work. One of his former partners, James Powers, describes him as "a superb lawyer, a very scholarly guy. He is the ultimate reasonable man, which sets him apart from most people."

From time to time, Rehnquist got lucrative offers from other big-city law firms, but he preferred Phoenix as a place to raise his three children, Jim,

now 16, Janet, 14, and Nancy, 12. He liked to take his family on camping trips, bought an apple orchard in the Rockies as a place for retirement. He also enjoyed playing the recorder at family song fests.

This peaceful life was interrupted because Rehnquist had made friends with Richard Kleindienst, another Phoenix lawyer and Goldwater enthusiast. When Kleindienst came to Washington as the No. 2 man in John Mitchell's Justice Department, he urged Rehnquist to join the Nixon team. In January of 1969, Rehnquist became head of the department's Office of Legal Counsel, which made him, as Nixon put it, "the President's lawyer's lawyer."

Rehnquist's personal style is not quite typical of Nixon's Washington. Alone among all the higher officials of the Justice Department, he sports long sideburns and bright shirts with clashing ties. But as the Attorney General's chief

counsel, Rehnquist has been a hard-line Nixonian: early on he became noted as an outspoken Government hawk on questions of law-and-order.

He denounced student demonstrators as "the new barbarians"; when swarms of demonstrators tried to "shut down" Washington last May Day, he approved the massive police roundups as a form of "qualified martial law." He also argued that the Government had a perfect right to engage in surveillance of any citizen, adding that "self-discipline on the part of the Executive Branch will provide an answer to virtually all of the legitimate complaints against excesses of information gathering." He agreed entirely with those who thought the Warren court had been too indulgent toward suspected criminals.

In all these declarations, of course, Rehnquist was speaking as a Government advocate, which led one prominent law professor to condemn him last week as "President Nixon's hired gunslinger." Herbert Packer of Stanford observed that Rehnquist had done "a prominent job in taking a hard, repressive line." The former N.A.A.C.P. president for the Phoenix area, the Rev. George Brooks, declared that the nominee's views "would preclude him from giving fair judgment" in civil rights cases. "Rehnquist represents the intellectual heart of the right wing in Washington," adds John P. Frank, an attorney who has written a study of the Supreme Court. "He will be able to translate the political philosophy of Goldwater into sophisticated legalisms."

Since Nixon was determined to nominate a conservative, most legal experts considered Rehnquist a good choice. "He has a very strong, logical and powerful mind," says Harvard's distinguished Professor Paul Freund, who remembers him from a class at Stanford. "He's very conservative, but I think the net result is that he will contribute to the deliberations of the court because of his intellect. Somehow, I have more confidence in conservatives who are men of intellect than I do in banal persons."

business, it is at least possible, though not necessarily probable, that state and federal legislatures will take up some of the issues that used to reach the Justices by default.

But should the legislatures pass sweeping or innovative measures, will the Supreme Court go to the activist conservative extreme, striking down the new laws as unconstitutional—as it did, for example, with much New Deal legislation in the 1930s? Last year Burger and Blackmun voted to invalidate Congress's extension of voting rights to 18-year-olds before the constitutional amendment had passed. Even so, many students of the court detect an air of passivity in the new alignment and this suggests a seeming paradox: the court may not actively resist legislative initiatives.

In fact, the practical impact of the Nixon-wrought shift will not be the true measure of what the President has done to the court. Just as Nixon has too broadly implied that expanded protection for defendants caused rising crime rates, so has he created false expectations that by changing the court's makeup, he will bring about a decrease in lawbreaking. In a more subtle sense, however, the court's new pose will undoubtedly have the psychological effect of lending added respect to the political drive for law-and-order.

Intellectual Rigor

It is none of Burger's doing that the court is today regarded by so many disinherited Americans as the last resort, and perhaps it ought not to be. The Chief Justice appears to feel that state and lower federal courts should deal with narrow issues, while the larger social problems should be resolved through the legislative process whenever possible. Liberals may agree with this in theory, but they fear that as a practical matter, majority-oriented politics will not adequately champion the rights of the individual. The new court may nonetheless force liberals to use politics more vigorously, rather than the judicial process, to press their ideals. What is more, a new conservative standard of intellectual rigor on the court may compel liberals to greater precision of thought on their own.

Nixon's great court transformation could amount to no more than merely a changed voting majority. If his appointees insist upon only a dogmatic style of political conservatism, they will have lulled the country and missed a great opportunity. To avoid that danger, the Justices will have to provide a creative, deeply reasoned philosophy of judicial restraint in the tradition of Justices Frankfurter and Louis Brandeis. It will be imperative that they explain clearly and compellingly the theory of government that is leading them to change the court's function. That is why the President's 23rd-hour decision to step up from mediocrity in his court choices was such a profound relief to all who care about law in the U.S.

THE VICE PRESIDENCY Appointment in Gargalianoi

Ever since he became Vice President of the United States, the son of Theodoros Anagnostopoulos had yearned to pay an official visit to his family homeland in the hills of southern Greece. There was only one hitch. The country had been taken over in 1967 by right-wing army officers, headed by Colonel George Papadopoulos, who had ousted Parliament, canceled the constitution and subjected a number of political opponents to imprisonment and torture. Last July, when the fiercely anti-Communist officers showed no signs of restoring democratic government soon, the U.S. House of Representatives voted

greeted the townspeople in the name of his late father. "At his knee I learned of this town and of the principles of the ancient Hellenes." He was greeted, in turn, by his father's cousin, Andreas Anagnostopoulos, 59, who still lives in the family house and who stood on tiptoe to kiss his relative on both cheeks.

Mopped Brow. After a rousing exchange of national anthems, Agnew drove to the town cemetery, where he placed wreaths of pink and white gladioli at the graves of eight relatives. Then to the convent of Saint Spiridon, founded by Agnew's great-aunt, Sister Makaria, where the Vice President chatted with two orphans and gave each a bracelet.

Then to the family house, where the welcoming crowd nearly overwhelmed him with its babbling affection. One bystander, seeing that Agnew was sweating heavily in the noonday sun, whipped out a large white handkerchief and mopped the vice-presidential brow. "He is the greatest Greek," cried another. In a doorway of the family house, a two-story whitewashed stone and stucco affair built 161 years ago, Agnew met his black-clad cousin Anastasia and Anastasia's 19-year-old son Demokritos, who presented him with a bouquet of red gladioli. Inside—while at the doors a crowd of people claiming to be relatives waved invitation cards and tried vainly to get in—Agnew's family served him stewed fruit and chatted about the old days. On his departure, Agnew pulled a cord that drew back Greek and U.S. flags and unveiled a plaque commemorating his fulfillment of the old American dream—emigration, success and triumphant return.

Just before Agnew arrived in Athens, almost 200 Greek political figures, ex-members of the ex-Parliament, had signed a public warning that Premier Papadopoulos would twist the Agnew visit into a seeming gesture of political support for his regime. They need not have worried about distortion, however: Agnew repeatedly made it clear that he warmly supported the military dictatorship. Given a chance to meet Greece's former political leaders, he declined.

No Sign. "We look forward," Agnew said on one occasion, "to seeing the many improvements that are taking place here in health, education, electrification"—improvements that are real enough, though at certain cost. Elsewhere he spoke of "the achievements that are going forward under the present Greek government." Finally, in exchanging toasts at a dinner in Athens, both Agnew and Papadopoulos spoke scornfully of "sophists." Such men, said the Greek Premier, "jeopardize the effort made in defending our civilization."

Before Agnew flew home at the week-



AGNEW AT FAMILY GRAVE
Scorn for "sophists."

to cut off all military aid unless President Nixon declared that it was necessary to U.S. interests. While Nixon pondered that prospect—the Senate has yet to act on the proposal—Colonel Papadopoulos, now Premier, spoke bitterly about American criticism of a faithful NATO ally. Spiro Agnew still wanted to visit the homeland.

Finally, he did—thus becoming the first top-ranking Western leader to set foot in Greece since the 1967 coup. Officially, there was to be no endorsement of the junta, just a discussion of "NATO matters." Unofficially, Agnew would visit his ancestral home as a private citizen. But when his olive-drab helicopter settled down at Gargalianoi (pop. 6,200), one day last week, Agnew saw the streets lined with some 60,000 cheering peasants who had come on foot and by donkey and chartered bus from miles around. At Agnew's side, his head reaching only to Agnew's shoulder, stood Premier Papadopoulos.

Agnew spoke emotionally of his return. His voice cracking slightly, he

end, Papadopoulos' spokesmen let it be known that Nixon would prevent any cutoff in aid, and that there had been no unseemly discussion of Greece's "internal political situation." Vice-presidential aides said in private that the Greek version was mistaken, but Agnew himself told accompanying newsmen that continued military aid to Greece is "a matter of overriding importance to the U.S." He also assured them that Papadopoulos "intends to return his country to representative government." There was no clear sign when that day would come, however, or that Spiro Agnew had hastened its coming.

POLITICS

An Urban Quartet

Like oracles reading the entrails of the lamb, politicians of all persuasions will dissect the results of next week's big-city mayoralty races. Some of the elections may produce portents of next year's national politics. Others, because they turn on specific local issues, will more than likely be analyzed and interpreted individually, rather than for any discernible nationwide pattern. Some, too, are notable mainly for refreshingly off-beat candidates. Taken together, four major contests constitute a political pastiche of urban America:

CLEVELAND. No matter what guise it takes—crime, impending bankruptcy, inadequate service—there is only one campaign issue in Cleveland: Carl Stokes. Last April, as Stokes announced that he would retire from city hall, the city was fouled with bitter black-white acrimony. Whites held him responsible for dividing the city along racial lines. Militant blacks charged him with being too moderate; many moderates felt he

was too militant. The only point of consensus was that Stokes was already in political *rigor mortis*.

But Stokes was determined to choose his successor and, in doing so, prove that blacks could serve as a major force in Democratic Party politics. The first test was the Democratic primary, which matched City Council President Anthony J. Garofoli, a virulent Stokes antagonist, against James Carney, a moderate with little elective experience. During the primary, Stokes announced that he was supporting Arnold Pinkney, an independent and one of two blacks on the Cleveland board of education. Pinkney opted to bypass the primary and run in the Nov. 2 general election with Stokes' support. But the important thing, Stokes told blacks, was first to defeat Garofoli. Stokes made his appeal by mail, by radio, by television and telephone. The blitz got Carney an estimated 53,000 black votes in the primary—the majority of his 74,000 winning total.

Observers now predict that Carney and the third candidate in the race, conservative Republican Ralph Perk, who lost to Stokes in 1969 by 3,500 votes, will split the white vote. Thus, if Pinkney can win between 90% and 95% of the black voters—as Stokes predicts—he is a virtual shoo-in. In that case, the real winner will be Carl Stokes.

PHILADELPHIA. "I am the toughest cop in America," former Philadelphia Police Commissioner Frank Rizzo often boasted, a thick finger stabbing the air. Now, as the city's Democratic candidate for mayor, Rizzo puts out much the same message. Billboards and taxis all over the city carry his beefy face and the slogan RIZZO MEANS BUSINESS.

The contest in Philadelphia is a study in contrasts: burly ex-Supercop Rizzo



PHILADELPHIA'S FRANK RIZZO
"I am the toughest."

against Republican Thacher Longstreth—tall and slender, with Chestnut Hill-Princeton looks and background. Longstreth, a former executive vice president of the city's Chamber of Commerce and an unsuccessful mayoral candidate 16 years ago, was appointed by local G.O.P. Boss William Meehan. Rizzo, who rose through the ranks of the police department, won his party's nomination in a bruising primary battle (TIME, May 31), in which his main pitch was that, as police commissioner, he kept the "radicals" in check, and that he would do the same as mayor.

In Philadelphia, with its one-third black population and the highest incidence of black gang violence in the country, Rizzo's campaign strikes on one level a blatantly racist chord, although on another it appeals to legitimate fears of whites and some blacks as well. His overwhelming strength lies in the white community. Even Longstreth forces predict that up to 25% of the city's Republicans will cross party lines to vote for Rizzo. During the primary, Rizzo did not campaign in the black neighborhoods. He has since altered his strategy only to the point of an occasional stop in a black area.

Longstreth, on the other hand, is running hard to stay even; he begins his day greeting morning commuters and rarely retires before midnight. His only hope of victory is a massive black crossover vote to offset Rizzo's strength among white Republicans. Rizzo, however, should benefit from having nine blacks on his ticket, the most in Philadelphia history. They are candidates for lesser offices, nominated separately by the Democratic city committee. A Rizzo victory is almost assured.

BOSTON. In the beginning, Boston's mayoralty race shaped up as a political donnybrook between archenemies Kevin White and Louise Day Hicks, with Mrs. Hicks, who to many has been the Bella Abzug of the beer and backlash set, expected to be doing most of the punch-

CLEVELAND'S ARNOLD PINKNEY

BOSTON'S LOUISE DAY HICKS



ing. In 1967, after having served seven years as Massachusetts secretary of state, White handily defeated Mrs. Hicks for the mayoralty. In 1970, Mrs. Hicks ran for and won ex-Speaker John McCormack's old seat in Congress. By last year White's popularity had slipped so badly that when he challenged Republican Francis Sargent for the governorship, he did not even manage to carry Boston. Before last month's non-partisan primary, White was already being counted out. But he placed a surprising first in the field of seven. The early oddsmakers may have seriously underestimated his power to make a comeback for re-election.

Twice chairman of the Boston school committee, Mrs. Hicks retains her reputation as the staunchest opponent of busing to end *de facto* segregation, a position that accounted for much of her support in 1967. Now the feeling is that her day—and the era of her particular appeal—may have passed. For the first time in her political career, Mrs. Hicks did not finish first in a Boston primary, and she has lately reversed many of her earlier positions. She supports the antiwar Mansfield amendment, while earlier she had been a raging hawk.

Her presence in Washington and her current campaign have been lackluster. White, by contrast, has not been a bad mayor. From his offices in Boston's massive new city hall, he has supervised a rather energetic works program, built new schools, and instituted summer concerts on the Boston Common. He seems to have survived the worst hand the city could deal him and come up smiling. Trim and handsome, he is a consummate politician and ran his campaign accordingly. His greatest fear now is that, since he is in the lead, his supporters will become apathetic and not show up on election day.

SAN FRANCISCO'S DIANNE FEINSTEIN



DIANNE FEINSTEIN

PRESIDENT

SAN FRANCISCO. Here the mayoral contest has become a mildly comic hodgepodge. J. Tony Serra, one of a field of twelve candidates in the election, is a representative of the Platypus Party; he has promised the city a return to the Renaissance by banning internal combustion engines and ripping up all the sidewalks in town. A more serious candidate, Joseph L. Alioto—a lawyer who is under federal indictment for conspiracy and mail fraud and is co-defendant in a civil suit on charges that he allegedly received more than \$2,000,000 in ill-gotten fees from publicly owned facilities in the state of Washington—is running on the platform that, well, he already is the mayor.

Although his opponents have for the most part discreetly avoided public discussion of Alioto's legal difficulties, they are unquestionably a factor in the election. But equally important is the growing conviction that Alioto is more interested in national politics than he is in local government. Still, for lack of serious opposition, he might well have been handed his second term by default were it not for the last-minute entry into the race of an attractive alternative. Along came Mrs. Dianne Feinstein, president of the San Francisco Board of Supervisors since 1969 and wife of a prominent San Francisco neurosurgeon. Confident but demure, she is a liberal Democrat who has broad support on a spectrum ranging from conservationists to the city's considerable population of homosexuals. Mrs. Feinstein's own polls indicate that she has pulled within two percentage points of Alioto, and could well overtake him.

INVESTIGATIONS

Guarding the Guardians

Bit by bit, over the past several months, stories of police corruption in New York City have leaked out to the public. Last week the most sordid story to date was told by the first witness at hearings held by the blue-ribbon Knapp Commission, which is investigating crime in the department. William Phillips, on the force for 14 years, explained how he and innumerable other cops had taken graft as casually as they had handed out parking tickets. Payoffs for criminal protection came as regularly as paychecks—and often amounted to a lot more. Far from working to cut down the city's grimly rising crime rate, the police have been helping it grow.

As Phillips related it in a dry monotone, illegal money is available for the asking; sometimes, in fact, a cop does not even have to ask. Stores, bars and restaurants hand out free food, drink and cash to the cop on the beat. In order to avoid receiving summonses for petty violations, foremen on construction sites pay \$5 to \$10 per cop per week. When the city marshal evicts tenants, he ordinarily treats the patrolman who assists him to a few bucks. The cop



WILLIAM PHILLIPS
Tripped in a brothel.

who makes the day's assignments in the station house may get \$5 a day from a patrolman looking for profitable work.

Telltale Integrity. This is the petty graft that is taken for granted, Phillips indicated. A cop who is greedy enough can go on to the big money to be made from gambling, prostitution and narcotics. The distinction that used to exist between "clean" and "dirty" graft has broken down; corrupt cops take what they can get and leave the moralizing to others. Depending on where he is stationed in the city, a plainclothesman can make from \$400 to \$1,500 a month for protecting the rackets. With luck he can make much more. Phillips told of three Queens plainclothesmen who split \$80,000 that they picked up in a narcotics raid. Phillips testified that he knew of no plainclothesman assigned to gambling who was not on the take after two months.

Phillips learned fast. When he first joined the force, he did not get any offers for a while. He was being watched for telltale signs of integrity. When they did not appear, a fellow cop made the first approach by telling him where to get a free meal. From then on, he regularly freeloaded, though as he told the commission, he tried not to go to a restaurant during "real busy hours." The free meal is a first test of the corrupt cop. If he passes it, he is on his way. When a commission member asked Phillips how he could tell that a certain lieutenant was honest, Phillips replied: "He carries his lunch to the station house. Anyone that does that is clean."

Phillips was ambitious to climb the corruption ladder—almost a parallel career within the department. After once hooking a man who had got into a fight, Phillips said that another cop asked him to forget the whole thing for \$300. Phillips obliged. When he was promoted to plainclothesman, after three years on the force, he was given a \$1,000



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payoff on his first day on the job. His partners gave him some fatherly advice: "You're new here and it would look good for you if you gave the boss a piece of the action." So Phillips handed over the \$1,000 to a lieutenant in the station house to divvy up. Phillips got back a mere \$130. "I divided it up myself after that incident," he said.

Eventually, Phillips was rewarded with a choice assignment: duty in Harlem, where the payoffs are the biggest in the city. He soon was on cordial terms with gamblers known as Joe Cuba, Ted Cigar, the Gimp, the Gout and Spanish Raymond. He recalled his first meeting with a gambler called Eggy. "He walked over to the car and he says, 'Are you the new men?' We said, 'Yes, we are.' He says, 'You get \$20 a day. Is that all right?' We take care of the men who were here before you, we take care of you."

Within a few months, Phillips' 16-man Harlem unit was on the "pad"—that is, collecting graft—from a variety of gambling operations. When a new man joined the unit, he was quickly scrutinized to see if he would fit in. "You can make a phone call and find out in five minutes what the individual is, what his habits are and whether or not he takes money," Phillips said. When a cop was transferred to a new post, the pad from his old station kept up for another two months. "Severance pay?" asked the investigating commission's aggressive chief counsel, Michael Armstrong. "Yes," Phillips laughed. "Two months' severance pay."

Take Action. To get Phillips to talk so freely was a major undertaking. The Knapp Commission, headed by Whitman Knapp, a prestigious Wall Street lawyer, was formed last May after public pressure forced Mayor John Lindsay to take action. At that time it had little more to go on than the testimony of an honest cop named Frank Serpico. To try to get some corroboration of Serpico's tales of graft, the commission employed the services of a shadowy electronics buff, Teddy Ratnoff, who is famed for his sophisticated bugging techniques.

He won the confidence of Xaviera Hollander, a 28-year-old Dutch-born madam on the fashionable East Side of Manhattan, by telling her that he wanted to observe the judges and politicians who frequented her brothel. One fateful day, Phillips, who usually avoided dealing with prostitutes because he felt they were untrustworthy, showed up to demand money. Ratnoff made a quick check, since all sorts of people claiming to be cops were in the habit

of trying to shake down Xaviera. He found that, sure enough, Phillips was a bona fide policeman. "Let's wire up on him," a commission member told Ratnoff. They had their man.

On the Hilton, Phillips' revelations caused predictable outrage among New York cops. Even Commissioner Patrick Murphy, who has been vigorously shaking up the department and coming down hard on corrupt cops, thought that the Knapp Commission had gone too far. One "rogue cop," he objected, was smearing the entire force—and indeed

TIM ARDER



XAVIERA HOLLANDER
A knack for catching cops.

Phillips had nothing to lose by telling a lurid story. But Murphy took the matter seriously enough to suspend temporarily his newly appointed chief of detectives, Albert Seedman, who had been given an \$83 dinner for four on the house at the New York Hilton last March. After a few days' investigation, Seedman was reinstated—because he had not been in a position to do the hotel any favors and because he had not made a habit of freeloading.

Edward Kiernan, president of the Patrolmen's Benevolent Association, branded Phillips a "greedy thief." Most cops, while not denying much of what Phillips said, felt that he had given them all a bad name at a time when they need public respect more than ever. "If I made as much money as Phillips said," scoffed one detective. "I'd be living in a palatial estate in Westchester." Complained a subway cop: "Down here in the hole, how the hell can you take any graft? There's no freebies underground. But as far as the public is con-

cerned, I'm just another crooked cop." One portion of the public was especially indignant. The Harlem numbers operators protested the fact that white policemen were taking so much money out of the community. They called for a 90-day moratorium on all numbers arrests and police payoffs while they draft legislation that would legalize numbers gambling. In addition, their bill will pledge them to return 10% of the more than \$200 million-a-year take to the community for economic development.

The complaints about Phillips seemed difficult to take seriously after a 25-year-old former cop, Edward Droge Jr., was called as a witness late in the week. After four years on the force, Droge left the department earlier this year to continue his education at the University of Southern California. He testified that of the 70 patrolmen he had known at the 80th precinct in the Bedford-Stuyvesant area of Brooklyn, only two were not on the take. Despite the fact that Droge won eight citations, he casually accepted payoffs in cash or weapons. Gamblers would throw a roll of bills through a window into the back seat of his radio car, though once their aim was too good: the bills went sailing right out the other window. Droge was finally tripped up when he accepted \$300 to let off a man whom he had ar-

LEWIS WEINSTEIN—GROSS



COMMISSION FILM OF POLICE PAYOFF

rested on a narcotics charge. The man was wired by the Knapp Commission. Before the hearings end this week, the commission promises to supply still more proof of wholesale corruption among New York's finest. Well-publicized probes of dishonesty in the police department have taken place off and on at least since Teddy Roosevelt was New York's police commissioner late in the last century. Unhappily, these probes never seem to have a lasting effect on the corrupted—or on the corruptors.

In the course of the hearing, a whole vocabulary of corruption came to light. A "nuce joint" is an afterhours place where liquor is sold. A "flute" is a soda bottle filled with whiskey for officers. A "flake" is an arrest made with false evidence in order to shake the man down. An "accommodation collar" is an arrest made on a minor charge in response to pressure from above for a crackdown.

State Fair: "She Crawls on Her Belly Like a Reptile"

The State Fair of Texas is a big, wide, awkwardly handsome affair, of Texans, by Texans and for Texans. Its virtues and excesses require a native's perspective. TIME Writer Mark Goodman was born and raised in Dallas, and returned for a nostalgic look at the fair. His report:

TEXAS is really two distinct countries. There is high-rolling Texas, oil-rich and cattle-fat, iridescent with electronic gadgetry. This is the Texas of the Hunts and the Murchison brothers and Neiman-Marcus, and multimillion-dollar transactions conducted in private jets that whisper swiftly through the silvery prairie night. Then there is the hard-scrabble Texas, dusty and dun, which fans out westward from Fort Worth to towns like Dilley and Draw and Del Rio, where the good ole boys gather round gas-station coolers to drink RC Colas and tell lazy lies. It is aullen land, worked by silent, leathery men and their resilient women.

The two Texases converge each year on the state fair, held for 16 days in October on permanent, 200-acre grounds in East Dallas. Inevitably, it is the largest fair in the nation, attracting more than 3,000,000 visitors this year. Moreover, it is unique as a monument to Texas' preference for hip-shooting free enterprise, a self-sustaining, \$2,000,000 hoedown that does not take one thin dime from the state treasury.

The fair indeed has its fancified features. *Promises, Promises* plays to large audiences in the State Fair Music Hall. In the Automobile Building, fairgoers get a glimpse of the trim 1972 models, foreign as well as domestic. Their virtues are purred into microphones by trim Texas models in cutaway gowns. It is a sex-and-power display that, as they say down home, Madison Avenue couldn't beat with a stick.

But follow the right-hand signal of Big Tex—a 52-ft.-high drugstore cowboy statue giving directions in a mechanical voice that sounds like a blend of Charlton Heston and Chill Wills. Then you come upon the preserve of the second Texas: the livestock exhibitions. In the Swine Building, Brodbringnagian hogs slumber peacefully in their stalls. Photographs of the various Quality Pork Champions are posted on a bulletin board in two neat rows, like so many Miss Rheingold winners on a barroom wall. The most frenetic activity takes place in the Livestock Pavilion, where cornered owners lavish on their animals care that would do credit to Elizabeth Arden. In one stall a West Texas matron in treader pants, see-through blouse and perhaps the last bouffant hairdo in Western civilization teased the tip of her Her-

eford's tail with a hot comb. Her loving efforts were of little avail, however; most of the significant Hereford trophies went to Winrock Farms, owned by a former Governor of Arkansas named of Winthrop Rockefeller.

Between Big Tex and the livestock beauty parades lies the heart of every fair: the midway. Texan or otherwise, breathes there a man with soul so dead that he did not once thrill to the gut-wrenching twists and turns of the Caterpillar and the Black Widow? Or pit his adolescent's rolled-steel stomach

LAMAR TEXAS



BIG TEX GREETES VISITORS

against the depredations of Corny Dogs and Bar-B-Q mystery meat burgers and loomfuls of pink cotton candy? Even those barbaric relics of carnival days, the sideshow freaks, are still present. Hear the saw-throated barker cry of the Headless Body Beautiful: "Yessir, folks, step right up and see Lola, the living, decapitated victim of a hideous automobile accident!" There is the Frog Boy, and Giant Hong Kong Rats, and a "gen-ewe-fine female cannibal," ominously billed as Zoma the Depraved. And of course, there is the terrible, eternal Alligator Lady: "She walks, she talks, she crawls on her belly like a reptile, a leapin', screamin', creepin', crawlin' mawnter! She's eleven feet lawng and she's alive!"

Since football is every bit as important to the Texas social structure as bourbon and the Baptist Church, it is only fitting that the fair should kick off with the annual Texas-Oklahoma game. This Southwestern tribal ritual more

closely resembles a vigorous bloodletting in the Circus Maximus than a friendly athletic contest. Instead of musky wine from hand-wrought goblets, though, the spectators knock down rye whisky from leather-bound flasks while the hot-blooded young gladiators, as they say down home, whup ole Billy outa one another. Turns out, for the first time in five years, it is Oklahoma that does the whipping. By day's end Texas has lost its first- and second-string quarterbacks, a linebacker, a tight end, the game (by a score of 48-27) and considerable face. One disconsolate Longhorn fan moans: "Them Oklahoma boys was meaner'n seven hunder elves!"

The state fair predates the Texas-O.U. rivalry by 14 years. Begun in 1886, the fair expanded to nearly its present size in 1936, the year of the Texas Centennial. While it has traditionally been a showcase for Texas chauvinism, the character of the fair has changed somewhat in the past two decades. Says General Manager Joseph B. Rucker Jr.: "We wanted the fair to have an educational and cultural justification to place it beyond the ordinary festival." This year the motif is "Expo-Trans-Port," and the fair features an impressive mock-up of the new four-terminal airport presently under construction between Dallas and Fort Worth. There is also a new emphasis on Texas ethnic groups (German Day, Czech Day) and a growing spirit of Pan-Americanism. Cattlemen from Argentina, Nicaragua and Costa Rica flock to the fair to buy prime breeding cattle. They are treated like visiting royalty, right down to a barbecue for 1,500 on Lamar Hunt's Circle T Ranch. While the wealthy Latin Americans take the \$5,000-acre spread in stride, their home-grown counterparts are visibly awed. Draws one weathered wrangler: "Ole Lamar got so much money, he coulda greased Pontius Pilate's palm and got Jesus Christ off with three weeks on the county correction farm."

For all the innovations, the state fair is too rooted in traditional carnival tackiness ever to change appreciably. Yet in these volatile days, any sort of permanence, even homespun vulgarity, has a stabilizing effect. So it is momentarily comforting to go home again and rediscover this preposterous adobe Oz, where benevolent witches primp their flocks with hot combs, and happy little people fly giddily about on magic Caterpillars and Black Widows, and raspy wizards chant tall, dark tales of the Alligator Lady who crawls on her belly like a reptile. Ah, yes, the State Fair of Texas still has the power to charm, because the more it changes, the more it stays the same. Or, like they say down home, *plus ça change, ole buddy*.

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We'd go to great lengths to keep you from forgetting the way to get name of our company.

Because we know that "Mutual Benefit Life" sounds like the name of one of a half-dozen other firms.

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Mutual Benefit Life. A name you can't forget.

THE ECONOMY

Phase II: The Nagging Uncertainty

IN the initial burst of exuberance that greeted President Nixon's economic package last August, the stock market roared ahead. Since then, doubt and confusion have set in. The basic question: Will Phase II really work? Though there is still considerable public support for the program, there are disturbing signs that consumers and businessmen are at least temporarily holding back their spending and investing.

Wall Street Worry. Last week in the stock market, the Dow Jones industrial average fell 23 points, to 852, wiping out most of the gain that followed Nixon's announcement of the freeze. The market was reacting not only to worries about U.S. business for the rest of this year but also to the possibility of an international trade war (see story, page 35). Most important, investors were shaken by the report that mutual fund redemptions exceeded sales by \$166 million in September—a record high for any month and the fourth month out of the last five that cash-ins were greater than new sales. This is a sensitive indicator because it suggests that small investors lack confidence that the market will rise. The Nixon Administration is concerned about the stock market's recent weakness and hopes to bolster its strength, in part by holding down interest rates. But last week's cut in the prime rate, which bankers reduced from 6% to 5½% after prodigal from the U.S. Treasury, did not stem the slump.

Department store sales have been slow since just before the onset of the price freeze, and volume has actually been declining in some retail fields. But sales of cars and houses are strong (see Business); some economists suspect that consumers are spending heavily in the auto showrooms instead of the department stores, figuring that car prices will rise after the freeze.

In the third quarter, the gross national product grew by only \$16 billion, to an adjusted annual rate of \$1,059 billion, an unimpressive increase of 3% in terms of non-inflated dollars. By contrast, the real growth of the economy was 6.5% in the first quarter and 4.8% in the second quarter. At the same time, the federal budget is running a huge deficit; estimates run to \$28 billion for this fiscal year—an amount that will make it more difficult for the Government to curb inflation.

Freeze in Decisions. For all the bad signs, there were also brighter portents. In a significant measurement of the effectiveness of the freeze, the Commerce Department announced that the overall rate of inflation dropped from an annual rate of 4% in the second quarter

to 3½% in the third quarter. And in September the consumer price index climbed by only .2%, or about half the rate of the previous six months. Meanwhile, New York's First National City Bank estimated that U.S. corporate profits after taxes in the third quarter climbed by 8% compared with the same period last year.

Despite that news, and much evidence that 1972 will be a strong year, investors as well as businessmen are troubled. Alan Greenspan, an occasional economic consultant to the Nixon Administration and a member of TIME's Board of Economists, sums up the mood: "The delay in setting firm guidelines for the post-freeze period is creating more and more uncertainty and having a numbing effect on business confidence. Capital spending programs have been pared or stretched out. The uncertainty over prices after Nov. 13 has slowed down new orders at many plants, and production plans have been lowered. What we're seeing is a big freeze on business decision making."

White House aides reply that the confusion and guessing is necessary in the present period when the Phase II guideposts are being formulated. They argue that the alternative to confusion would be hard, explicit controls—and that those are about the last things that investors and businessmen would want.

Catching 22

President Nixon's master plan for temporary and fairly flexible wage and price controls moved a long step forward last week when the White House named 22 appointees to the post-freeze regulatory boards. It was not easy to recruit that many properly qualified members. Two of the Administration's first choices—David L. Cole and Bernard Meltzer, both labor arbitrators—turned down the chairmanship of the Pay Board.

A number of academicians also declined, unwilling to abandon their classrooms in mid-semester for an indefinite stint in Washington. When President Nixon met with his appointees for the first time, he remarked: "Yes, some other people were invited to serve, but the ones that are here are the ones that have the guts and the patriotism to take on this very tough and very important job." To Arnold Weber, out-

going executive director of the Cost of Living Council and one of the 15 members of the new Pay Board, the reluctance of academicians to serve demonstrated "the leisure of the theory class."

As a result, when the Cost of Living Council's new executive director, Donald Rumsfeld, presented most of the commission members to the press, there were some unfamiliar faces in the lineup.

THE PAY BOARD. Federal District Judge George Boldt of Tacoma, Wash., will



BOLDT, RUMSFELD & GRAYSON
Unfamiliar faces in the lineup.

head this board, which has the vaguely defined task of determining just how much wages can rise. Boldt claims no background in labor relations. Last winter he heard the trial of the Seattle Seven, a group of radicals charged with conspiring to damage federal property; Boldt's judicial cool helped to prevent the trial from becoming a local version of the Chicago Seven fiasco. When asked why he was picked for the Pay Board, Boldt replied, "I haven't the foggiest." He said he did not even know the man who suggested him for the job, "I could give him a bad time," he quipped, "especially if he needs bail in the western district of Washington."

The judge will preside over a Pay Board that includes five corporation executives and five of the nation's best-known labor chiefs.

► The business roster: Robert Bassett, a Chicago publisher; Railroader Benjamin Biaggi, president of the Southern Pacific Co.; Virgil Day, a labor negotiator for General Electric; Leonard McCollum, board chairman of Continental Oil; and Rocco Siciliano, president of the T.I. Corp., a Los Angeles

The urgent need to conserve our nation's fuel isn't the only reason to stop wasting heat.

Just watch what happens to your fuel bills.

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Whether you heat with oil, gas, coal, or electricity. And things will probably get worse before they get better.

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Fortunately, there is something all of us can do to stretch our fuel supplies and keep fuel bills in line.

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A new brochure, prepared by the National Bureau of Standards, in collaboration with the Office of the Special Assistant to the President for Consumer Affairs, describes seven ways to increase your personal comfort, reduce fuel costs, and serve the over-all national interest by conserving energy in the home.

On the next two pages Owens-Corning explains how Fiberglas[®] insulation can help, and then offers a summary of the Government's seven suggestions with information on how to get a free copy of the brochure.



See
next
page






A 50-mile gale rages outside.
The temperature: an icy minus ten.
But your heating costs don't go through the roof.
Reason: you've got six inches of Fiberglas[®] insulation
in the ceiling, three inches in the wall.
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The temperature: an icy minus ten.
But your heating costs don't go through the roof.
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7 ways to conserve energy and cut household fuel bills.

Here is a summary of the suggestions offered in the new brochure prepared by the National Bureau of Standards and the Office of the Special Assistant to the President for Consumer Affairs.

1 Weatherstrip and caulk around all windows and doors. Leaking air could waste 15 to 30 percent of the money you spend on heating.

2 Install storm windows or insulating glass. Storm windows cut heat loss through your windows by 50 percent. They also help to prevent cold drafts across the floor.

3 Install overhead and sidewall insulation. Under most conditions, you should have not less than the equivalent of 6 inches of good thermal insulation over your top floor ceiling. It helps you feel more comfortable in both summer and winter. And in most parts of the country, it pays for itself by reducing heating bills in the winter. It also cuts air-conditioning costs in the summer.

4 Keep your heating plant in good shape. Have the heat exchange surfaces of your heating plant cleaned when needed. And have a qualified repairman check the air combustion adjustment every so often. If your heating plant recirculates house air, make sure you clean or replace the filters when they get dirty.

5 Close window draperies at night. In cold weather, when the window glass is chilled, a closed drapery will reduce the heat your body loses by sitting near a window. You'll feel comfortable without raising the room temperature.

6 Stop heat loss to your attic. Close and seal tightly all openings into the attic. But keep outdoor air vents open in attics and crawl spaces in the winter to prevent condensation in insulation or other building materials.

7 Turn off lights, stop faucet leaks, lower the thermostat. You can save a lot of kilowatts by turning off lights, TV sets, and so on when they're not being used. Don't forget hot water faucets, either. A leak of one drop per second adds up to about 650 gallons a year. At night, lower the thermostat for 8 hours. Fuel savings can amount to three quarters of a percent for each degree your thermostat is lowered. For example, you can save \$1.80 on a \$60 per month heating bill by lowering your thermostat 4 degrees.

If you'd like more information on how to conserve energy and cut your heating bill, send for the complete booklet prepared by the National Bureau of Standards and the Office of the Special Assistant to the President for Consumer Affairs. Write to Owens-Corning Fiberglas Corp., Attention: E. C. Meeks, Fiberglas Tower, Toledo, Ohio 43659.

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SCRANTON

WHITMAN

Guts and patriotism in the ranks.

holding company for title insurance operations.

► The labor list includes George Meany of the A.F.L.-C.I.O., Leonard Woodcock of the United Automobile Workers, I.W. Abel of the Steelworkers, Floyd Smith of the Machinists and Aerospace Workers, and Frank Fitzsimmons of the Teamsters.

► The "public members," who will hold the balance of power between business and labor, include Boldt. The others are Weber, who was deputy director of the Office of Management and the Budget before he joined the Cost of Living Council earlier this year; Neil H. Jacoby, a top economist at U.C.L.A.; William Caples, president of Ohio's Kenyon College and a former labor negotiator for the Inland Steel Co.; and Kermit Gordon, president of the Brookings Institution in Washington and a former U.S. budget director. It was Gordon who, as a member of President Kennedy's Council of Economic Advisors in 1962, helped formulate the 3.2% wage-price guideline that Democratic administrations used successfully until the Viet Nam buildup sent inflation surging. "I guess I had better put my theory where my mouth is," Gordon said last week.

THE PRICE COMMISSION. At the head of this seven-member commission is another newcomer to the public eye. He is C. Jackson Grayson Jr., dean of the Southern Methodist University Business School. Grayson, who has made his

of Dun & Bradstreet; Dr. Marina von Neumann Whitman, professor of economics at the University of Pittsburgh; and John Queenan, former managing partner of the accounting firm Haskins & Sells.

Labor Pains. When the Grayson and Boldt panels start meeting in earnest this week, they will find a notable lack of guidance from the Administration on a major Phase II policy question: Should there be a firm numerical guideline for wage and price increases? Treasury Secretary John Connally favors such standards, but Budget Chief George Shultz is advocating a more flexible case-by-case approach. If the question is still unresolved when the freeze ends Nov. 13, then Connally's Cost of Living Council will impose temporary guidelines. The figures most often discussed are 5% to 6% for wage increases, and something less than that for prices.

One of the most explosive problems facing the Pay Board will be what to do about previously negotiated pay increases that have been held up by the freeze. Depending on which statistics are used, anywhere from 5,500,000 to 8,000,000 workers have had raises blocked. Many of them are covered by long-term labor contracts that call for increases during the next few years in the general range of 6% to 7½%—with some at more than 10%. Labor leaders, including the five on the Pay Board, insist that those raises be granted, and that people who lost out on increases during the freeze get them retroactively. Many economists figure that labor costs would rise by only a small fraction if all the contracted increases were allowed. The Administration is reluctant to make exceptions to any policy of curbing wage raises. But the President may well have little choice other than to permit some of the raises so that George Meany will have no excuse to lead many unions out on strike.

WORLD TRADE

Building Walls Abroad

"I've got no compulsion to settle." With those cool words, John Connally continued to play his risky poker hand in the high-stakes game of international money. Publicly, at least, the Secretary of the Treasury refused to soften the Nixon Administration's economic moves, which have upset and unsettled the trading world. Foreigners were increasingly angered by what they perceived to be brutally nationalistic U.S. policies—the 10% surtax on most imports, the proposed "buy American" investment credit at home, and the demand that other nations revalue their currencies upward against the dollar. A Canadian diplomat complained in Ottawa: "America seems to have acted without considering the wider implications, without a clear plan or purpose for the future."

In the chancelleries and the countinghouses of major capitals last week, worry spread about the possibility of a



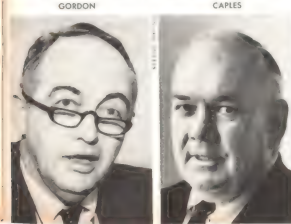
WOODCOCK & MEANY

Retroactive raises on the line.

decline in world trade, leading to a further global economic slowdown and perhaps a recession. Not all of the concern could be laid to Nixon's New Economic Policy. A decline in the previously vigorous rates of economic growth abroad was well under way last spring.

But continuing shock over U.S. policy and confusion over the future of money have aggravated the slowdown and wiped out hopes for a recovery by year's end. French Finance Minister Valéry Giscard d'Estaing, whose country is certainly not the worst hit, last week noted the dimmed prospects for the world economy: "The period of rapid economic growth," he said, "is past history."

Laying Off. In many parts of Western Europe, unemployment is creeping up while steel production is in a decline and demand for export-import financing is flagging. Italy is in the deep-



GORDON

CAPLES



"Well, John, at least we seem to be bringing someone together."

est trouble. Plagued by strikes and absenteeism, industrial production is running 3% lower than last year, while prices are 5% higher. Fiat, the automaker, has placed 8,000 workers on a short week; tiremaking Pirelli is offering workers in the Milan area cash gifts to quit. Zanussi, Italy's biggest electric-appliance manufacturer, plans to lay off 9,420 by year's end. Refrigerator producers reckon that the price of one of their popular models in the U.S. will rise from \$89 to \$109. The Italian house is at a 15-year low, and the government plans to offer tax incentives to stimulate lagging investment.

In Germany, even with unemployment under 1%, some businessmen are talking of a *Wirtschaftskrise* (economic crisis). Industrialists estimate that the import surcharge and *de facto* revaluation of the Deutsche Mark will mean a 30% drop in the sale of German goods to America. Steelmakers put 11,000 workers on short hours, and the angered men marched through the streets carrying signs of protest. While industrial profits are falling, the cost of living is nearly 6% higher than a year ago.

Sweden is in one of its worst economic slumps since the 1930s. Switzerland's balance of payments is running a deficit for the first time in ten years. Of the major European powers, only Britain and France show signs of strong growth—around 5% each for the fiscal year ending mid-1972. Still, the U.K. expects unemployment by Christmas to reach a 30-year high of 1,000,000 (out of a labor force of about 25 million).

Shrinking Orders. The slump has spread beyond Europe. In Japan the economic growth rate declined from 12.1% in 1969 to just under 11% last year, and it is expected to tumble this year to less than 6%. To the Japanese, that

figure reflects a total recession if not calamity. New orders for industrial goods declined 90% in August, when Japan was hit by the "Nixon *shokku*." They are still down 50%. Hitachi and other electrical manufacturers are cutting hiring plans for next year. To invigorate the economy, the government is infusing large sums into public projects like high-speed railroads; it is also reducing income taxes by \$460 million to spur consumer buying.

The developing countries of Latin America, Asia and Africa find little comfort in the fact that agricultural products and raw materials are exempt from the U.S. import surcharge. Such goods constitute 70% of the developing nations' exports to the U.S., but it is the remaining 30%—manufactured goods—that offer the greatest growth potential for exports.

Two-Way Street. For all the cries of pain abroad, Connally continued to talk tough. At an American Bankers Association convention in San Francisco, he said of his foreign critics: "The truth of the matter is that they liked our deficits a whole lot better than they like us getting rid of them." The U.S. will keep the surcharge, he vowed, "until we're satisfied that a mechanism is in place that can rectify our balance of payments." But what if foreign governments retaliate against the U.S.? Connally's answer: "Retaliation is a two-way street, and the U.S. is the biggest market in the world."

The first ominous signs of trade reprisals against the U.S. have already begun to appear. Unlike the revaluations and lower barriers to American products that the U.S. is seeking, the new moves resemble the trade battles of the early 1930s, when a round of tariff increases did much to set off a world slump. To help protect its balance of pay-

ments, Denmark's government imposed a temporary 10% surcharge on more than half its imports. Henri Ziegler, head of the French company that is building the Concorde supersonic transport, urged France to press the Common Market to erect a 15% customs barrier against imports from the U.S.

Driving Them Together. Last week, finance officials of the Group of Ten, the rich industrial nations, met again in Paris to consider ways to counter what Europeans are calling the ambitious and exaggerated U.S. payments goals. The meeting broke down in disagreement over realignment of currencies against the dollar. France held out against an upward revaluation of the franc and for devaluation of the dollar. From the U.S., Connally made an attempt to divide the Europeans by hinting that the U.S. might remove the import surtax for West Germany alone as a reward for letting the mark float upward. Ralf Dahrendorf, Common Market commissioner for external trade, noted that the attempt "only seemed to drive us together."

The grinding erosion caused by monetary and trade uncertainty may yet affect U.S. ambitions for turning its payments account around by a huge \$13 billion. If economic growth abroad continues to falter, foreign businessmen and union leaders may well insist that their governments raise still higher barriers against imports. In that case, they would also resist pressure for currency revaluations that would make U.S. goods more competitive in world markets. Raymond Barre, French vice president of the Common Market Commission, warns, "In this affair, time runs in no one's favor. It runs against everyone, the U.S. included." Unless the trade bars are soon brought down, protectionism will merely build more protectionism.

Just when everyone is coming out with their first trash compactor, Whirlpool is coming out with its second.

In 1969, Whirlpool introduced the world's first home trash compactor.

Over the past two years, consumer acceptance of this new household appliance has just grown and grown and grown. Which isn't terribly surprising, really. After all, it does make life a lot easier when you have an appliance right in your kitchen that compresses a week's worth of trash into a neat little bag*.

(For those of you who aren't all that familiar with our Trash Masher compactor, here's how it works: Every time you throw away trash, just open the drawer, drop the trash in the bag, close the drawer and push the button. In 60 seconds, your trash is compressed to one-fourth its original size—and it's sprayed with a deodorizer.)

Anyway, it seems several other manufacturers are jumping on our handwagon. However, during the past two years, we haven't been sitting back, basking in our own success. Our engineers have been constantly at work on ways to improve our original Trash Masher compactor.

Thus, the 1972 Whirlpool Trash Masher compactor. Available in undercounter as well as freestanding models. With the major components throughout redesigned and retooled for better performance as well as simplified service. A sleek one-piece front drawer (with interchangeable panels). And storage space for our special tear-resistant bags located right in the unit (on our freestanding model).

Why buy an imitation of our original trash compactor from somebody else, when you can buy not only the original, but an improved version of the original from us.



New, Improved Trash Masher Compactor.

The Trash Masher Compactor

Invented by Whirlpool
CORPORATION

*Based on a typical week's worth of trash produced by an average family of four.

THE WORLD

Two Votes That Could Change the World

IN this age of nuclear stalemate, history's decisive moments seldom result any longer from the clash of arms and armies. They develop instead from painstaking negotiations and wordy debates, subject to all the vagaries and nuances of global and frequently local politics. So it is this week as two momentous shifts in the political shape of the world approach the point of decision. In London, ten years after Britain first applied to join the European Economic Community, the House of Commons votes on whether Brit-

ain should join the six-nation Common Market. At the United Nations, the General Assembly decides whether the Peking government alone will represent China's nearly 800 million people, or whether Taipei will continue to represent the 14 million people of Taiwan. At Turtle Bay and Westminster alike, the debates were disappointingly humdrum, for no orator proved capable of crafting words to match the moment. Yet, in both places, the mood was expectant and electric.

United Nations: China Upstaged, But Not for Long

The United Nations was approaching a moment of monumental importance and high drama. Mao Tse-tung's China was about to be admitted. The U.S., which had blocked Peking's entry for more than two decades, was now conceding the Communists' claim to a seat, but was also engaged in an epic struggle to save a place in the General Assembly for the embattled, Taiwan-based Nationalist regime of Mao's old enemy, Chiang Kai-shek. But with the special animatic that the U.N. seems to possess in abundance, the buildup to the climax dissolved into hours of stiff speechifying, interspersed with moments of bizarre and totally unrelated melodrama.

The debate followed the script closely enough. In his role as chief executor of Peking's will in New York, Albania's smart Foreign Minister Nesli Nave rasped that Chiang's government "does not represent anything." He demanded swift adoption of the so-called Albanian resolution, which prescribes the venting of the Peking regime and immediate expulsion of the Nationalists. Taipei's embattled Foreign Minister Chow Shu-kai

replied heatedly that if Peking has its way, "the era of collective aggression is upon us." The Nationalists' future hangs on the fate of the U.S. proposal for dual representation of both Peking and Taipei in the U.N. The case for the U.S. plan, as Japan's cool, scholarly Kiuchi Aichi put it in the General Assembly, was that dual representation would be "a transitional step," opening the way for a peaceful settlement of the dispute between the two Chinas.

Uphill Fight. Though both sides were claiming victory, at week's end the outcome of the vote was still too close to call. From the start it had been an uphill fight for the U.S., which had to dispel suspicions that Washington was in fact willing to see its dual-representation plan go down to defeat, the better to ensure a good reception for Richard Nixon in Peking. To be sure, the herd of U.S. diplomats in New York City last week looked like men who wanted to win. One U.N. guard was astonished to find lobbying under way in the Delegates Lounge at 9 a.m. one day last week. "There in one corner sat an American working over some African," he marveled. "Right across from him sat a Jap-

anese pressuring some Latin American. These guys never show up before 10:30." One weary U.S. delegate cracked: "I guess when this is all over we'll just fall in one huge gray-flannel heap."

By contrast, the Russians were dragging their feet. Though nominal supporters of the Albanian resolution, the Russians took no part in the lobbying around the rubber tree plants in the plush Delegates Lounge. Soon the Hungarians were passing around a joke: "For the U.S., one China is not enough for the Russians, one is too many."

For the Soviets—and most other U.N. delegations, for that matter—the *cause célèbre* of the week was not China, but a cowardly sniper attack on a roomful of Russian children, apparently perpetrated by an adherent of the tin horn terrorist Jewish Defense League. One evening at midweek, four rifle bullets crashed through an eleventh-floor bedroom window in the massive East Side Manhattan building that houses the large Soviet mission to the U.N. The shots were not heard by the 700 guests attending a lively reception on the lower floors, but they narrowly missed four embassy children who were playing quietly in the bedroom



SAUDI ARABIA'S JAMIL BAROODI



RUSSIA'S YAKOV MALIEV

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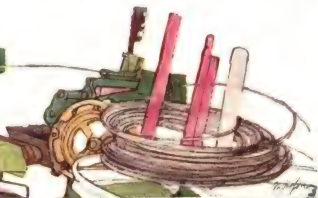
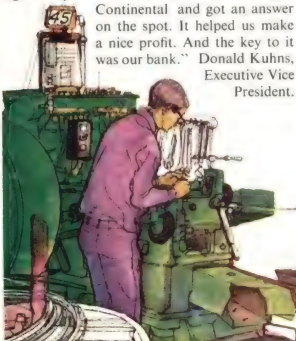
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The police soon found the weapon, a new .243-cal. Remington semi-automatic rifle, in an air shaft at Hunter College, a block from the mission, and traced it to an 18-year-old Brooklyn youth known to be "an activist" in the fanatically anti-Soviet J.D.L.

Who Is Responsible? The incident prompted both an ugly wrangle in the U.N. and an explosive protest from Moscow, which warned ominously that it might some day decide that diplomatic activity in the U.S. has "become impossible." Unimpressed by Washington's unusually vigorous expressions of official regret, Soviet Ambassador Yakov Malik interrupted the somnolent China debate the day after the incident and for the better part of two days kept an emotional Middle East debate going. Demanding the floor, Malik raged about what he saw as U.S. reluctance to take action against the J.D.L. It was time, he sputtered, for the U.S. "to restore order in its own house." Then Saudi Arabia's Jamil Baroodi piped up. Baroodi, a 25-year U.N. veteran whose opinion is shared by a growing number of his colleagues, charged that life for U.N. delegates was "becoming untenable in this city of New York. We cannot go on like this." Then he launched into an attack, highly unusual for a diplomat, on local U.S. officials: "Who is responsible? The politicians, the mayor, who goes to the synagogue and acts like a rabbi to obtain Jewish votes." Lindsay, he raged, was a Republican one day, a Democrat the next, "the third day he is nothing—a scyophant." Syrian Delegate George Tomeh rose to denounce "terrorism," charging that the Syrian mission had already received six bomb threats that week alone.

In high dudgeon by now, Russia's Malik grabbed the microphones again, this time to deliver a bullying attack on "Zionist extremists." Glaring over the rostrum at Israeli Delegate Yosef Tekoah, Malik sarcastically asked why the Jews should be a "chosen people" who were "closer to God" than the rest of humanity. "This is religious racism!" Malik shouted. "Religious fascism!" Tekoah, trembling with rage, stepped to the rostrum. Jews, he said, indeed seemed to have been chosen—"chosen to suffer." In a telling swipe at his Bolshevik adversary, he noted that Zionists had been battling imperialism "long before the Russian and Ukrainian people were on the maps of the world."

Who Was That? Saudi Arabia's Baroodi butted in again, trying to raise a point of order. While he gestured, a fair-haired man in a business suit calmly walked to the rostrum, adjusted the mikes and began unfolding a prepared statement. Who was he? No one knew. Before he could speak, security officers hustled him off. The would-be delegate turned out to be Daniel R. McColgan, a Brooklyn public relations man. All he wanted to do, he told police, was say a few things about China.



PRO-PEKING DEMONSTRATORS WITH MAO POSTERS IN MANHATTAN
For the Russians, one was too many.

For the moment, however, others wanted to keep the religious wars going. One group of youthful J.D.L. members handcuffed themselves to the railings outside the complex of U.N. buildings. When guards cut the Jewish protesters free, they tried to tear the Soviet flag down from its U.N. flagpole. At about the same time, a boy and a girl, both aged 15, slipped into the lobby of the Soviet mission on Manhattan's East 67th Street, broke a glass door and sprayed the area with an aerosol can of red paint. The midtown Manhattan office of Aeroflot, the Soviet airline, got similar treatment.

As Baroodi says, it can't go on.

Britain: To Market, To Market

Not since World War II had the House of Commons crackled with such political tension. As the House began a six-day debate leading up to this week's crucial vote on whether to join the European Common Market, members packed the green leather benches on each side of the chamber and overflowed into the aisles. The members on the two front benches faced each other like soldiers lined up for battle, with the pro-Market Tories of Prime Minister Edward Heath confronting the mostly anti-Market Laborites of former Prime Minister Harold Wilson. On each side, groups of party rebels sat grumped and silent.

As Foreign Secretary Sir Alec Douglas-Home began the debate by urging that Britain rejoin Europe (after 41½ years, since the English quit Calais), Laborites shouted "No! No! No!" and stabbed their fingers in his direction. To pro-Marketeters, the main point was that, as the London *Economist* put it, "Europe cannot be fashioned against British interests once Britain is in." The anti-Market speakers said that the cost of joining was too high—in sovereignty yielded to bureaucrats in Brussels, in a

threat to the British way of life, and in jobs lost to cheaper continental labor.

On the eve of this week's vote, Heath outfoxed Wilson with a brilliant parliamentary ploy. Both party leaders had insisted all along that their members heel to the party whips in the vote; each nonetheless faced the prospect of rebellion among followers committed to the other point of view. The Tories have an overall majority of 25 in the 627-member House, but Heath's party managers counted 30 certain rebel votes in their ranks, leaving the Prime Minister dependent on Labor votes.

Unexpectedly, Heath declared a "free vote," allowing each Tory M.P. to vote according to his conscience, released from strict party discipline. Heath's advisers shrewdly pointed out that while a free vote might add a handful of Tories to the anti-Market ranks, it would make it easier for Laborites to ignore their own party discipline—and in far greater numbers, possibly as many as 70. Though Wilson continued to insist that his followers vote strictly according to the party line, it was certain that enough Labor members would break ranks to ensure a pro-Market majority.

Immense Asset. Besides finessing Wilson, Heath's move considerably improved his image among British voters. According to the latest polls, fully 51% of Britons are still opposed to joining the Common Market, and only 32% are in favor. But the British are resigned to joining Europe, and 82% believe that membership is inevitable. By making the vote a free assertion of Parliament's collective will, Heath assured that the result would be accepted by the British people in a way that a decision achieved only by party discipline could never be. That could be a big asset when Parliament begins the formidable task of debating the enabling legislation required to align Britain's laws with the Common Market's. Wilson has promised to fight such legislation "clause by clause and line by line."

Europe: The Enemy Is Inside All of Us

It was a very different world 16 years ago when a handful of European idealists—Jean Monnet, Paul-Henri Spaak, Walter Hallstein, Jean Rey, Robert Schuman—first forged the idea of a European Economic Community. Their Europe had to contend with Communist expansion in the East and with the fantastic growth of the U.S. colossus in the West. Today, of course, the Soviets talk—perhaps in earnest—of seeking détente with the West; the U.S., though still a powerful influence in Western Europe, has begun a kind of worldwide recession. *TIME* Paris Bureau Chief William Rademakers, who has been a student of this changing Europe since the creation of the Common Market in 1957, set out on a tour of the six Common Market countries on the eve of Britain's historic vote to enter the EEC. His report:

The polls still say that roughly 70% of West Europeans are for European integration, but nowadays such support is about as remarkable—and meaningful—as an overwhelming vote for motherhood. Throughout the Six, many Europeans seem apprehensive about their political and social future. The cold war is over, they agree, but what happens next? Americans are talking of disengaging, but what will that mean for European unity? Once again, nationalism is a cause of widespread concern. West Germans speak of a "continuation" of De Gaulle's nationalism in France, while Frenchmen fret about Bonn's Deutsche Mark diplomacy. Italy, with warring regional factions, has more than enough worries at home. Overlaying all is a pervasive lack of confidence among Europeans in European institutions.

In his private office in Brussels, Economist Jean Rey, now 69, marvels at the slowness of the Six to deal with the lingering monetary crisis. "As I see it," Rey says as he settles back in his easy chair, "the trouble is the lack of an enemy. In the '60s, crises were easier to deal with because we knew where the enemy sat. We looked at Paris. Today France is no longer the enemy. He is somewhere inside all of us."

Quartermaster Corps. Originally, it was thought that when Europe achieved economic unity, political unity would inevitably follow. But economic unity has yielded only wooden ranks of "Eurocrats"—now some 5,000 strong—who stay glued to their desks in Brussels and Luxembourg, avoiding anything more controversial than common pricing for asparagus tips and uniform mayonnaise labels. The powerless European Parliament, which meets unnoticed some ten times a year in Strasbourg or Luxembourg, draws special scorn. Italian Author Luigi Barzini laughs that Rome's representatives "speak about nothing but the great *pate* they had every time they came back from those meetings." In



YOUNG BRITISH CONSERVATIVES DEMONSTRATING FOR MARKET MEMBERSHIP
For asparagus tips and uniform mayonnaise labels.

Italy, where *il Boom* has long since run its course, Europe no longer beckons. "We're in for some bad days," says Barzini, "and nobody is interested in the European Parliament or Brussels down here. Brussels, in fact, has become the quartermaster corps."

What has happened? "Idealism is no longer a driving force," says Brussels-based Economist Siccio Mansholt, the only one of the original founders still with the EEC. "The era of Schuman & Co. is over."

Many younger Europeans who never heard Walter Hallstein's heady talk of "building a United States of Europe" are savage about the Market. They regard it as little more than a club for big privileged corporations, a "*syndicat des riches*," as one of them put it. To Parisienne Janine Thiers, 38, who is an administrator in the ORTF, the French radio-TV colossus, the EEC "is an act of *égoïsme* for the economic elites of Europe, born at a time when they were scared to death of Communism. This is why it will never amount to more than it presently is, nor inspire the youth who will run the world tomorrow."

No one denies that Europe has made at least some progress toward social unity. Labor, for instance, moves freely throughout the Six. But the Dutch attorney cannot practice in Lyons, and the French engineer stands little chance of finding work in Turin. More distressing, says Munich Lawyer Martin Sattler, 28, is that "the youth of Europe are still looking for a political unity under which they can grow older. They haven't found it yet."

Those faceless Eurocrats in Brussels take much of the blame. Another villain is European labor. Suspicious, hidebound, determinedly parochial and frozen in attitudes that were current in the '20s, the unions have become the successors to the conservative agrarian parties of 19th century Europe.

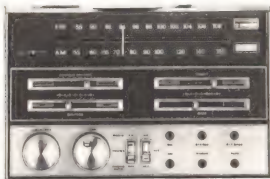
Can the old European momentum be restored? Historically, the Continent

has shown scant faith in Britain's leaders and no interest whatsoever in its institutions, but there is broad agreement—or hope—that London might bring a refreshing new cast of mind to the EEC. "We Europeans are insecure about how to live with democratic institutions," says Italian Journalist Arrigo Levi, whose own country has had three governments in the past 18 months. "The British can help us there. They also see things on a grander scale than we do."

British Impulse. Others sense that new developments, as yet dimly perceived, will make or break Europe's future. One of the optimists is Otto von Habsburg, onetime heir to the late Austro-Hungarian Empire and now a full-time promoter of European unity. "When I was a boy," he says, "the Rhine River represented a dividing line even greater than the Iron Curtain today. That has already gone." The former Archduke believes that Britain will be "a tremendous new impulse." Beyond that, he says, what is really needed are some "jolts to move this continent along," such as the removal of the American military shield. "It seems absurd to have 280 million Americans defending 280 million Europeans." But Levi argues that U.S. withdrawal would invite a dramatic increase in the Soviet role in Europe.

Then there is ascetic French Economist Jean Monnet, chief architect of the EEC and still, at 82, a vigorous champion of a united Europe. From his book-lined apartment overlooking Avenue Foch, Monnet's view is sunny. British entry will complete the economic union of Europe. "And then," he says, "we will move on to social integration." When Monnet says that "I am more confident than ever," as he does nowadays, it is difficult to understand why, given the towering obstacles in the way of real unity. Nonetheless, it may be worth remembering that it was that sort of confidence, shared by a few men, that originally got the EEC under way.

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Closing the Triangle

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SOVIET UNION

A New Indictment of Stalin

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Let History Judge: The Origin and Consequences of Stalinism.

English Kremlinologist Robert Conquest, author of *The Great Terror*, an exhaustive study of Stalin's purges of the '30s, says of the Medvedev history: "It is the first full attempt by a Russian to deal with the Stalin period, and given by far the most detailed account yet of the errors and horrors of Stalinism."

Medvedev offers some new and intriguing evidence about Stalin's career, citing unpublished and previously unknown memoirs and monographs written by victims of the purges. Performing a delicate balancing act, he manages to deliver a scathing indictment of the Soviet regime during the quarter of a century that Stalin ruled, while at the same time endorsing the goals of the Bolshevik revolution and acquitting Lenin of responsibility for the crimes committed by his successor. In answer to the question of why Lenin permitted Stalin to contend for power in the early '20s, Medvedev writes: "Lenin's natural enthusiasm for people often led him into mistakes." He also criticizes Lenin for recommending in 1922 that "extra-legal justice" be used against opponents of the regime.

Aberration. If he has an occasional bone to pick with Lenin, however, Medvedev has nothing but condemnation for Stalin. He sees Stalin as typical of the "unstable and dishonorable people who join a revolutionary movement and later degenerate into tyrants," Medvedev writes: "His political views were formed under the influence of Marx and Lenin, but they did not grow into convictions, into a system of Communist moral principles. . . . He was only a fellow traveler of revolution." Medvedev's thesis is that Stalinism was an aberration of Communism and that the Marxist-Leninist system is still the best hope for Russia and all humanity.

Medvedev conceived *Let History Judge* at the time of Nikita Khrushchev's de-Stalinization speech in 1956. He began researching and writing the book in 1962 and reportedly submitted it for publication to the Party Central Committee's Academy of Social Sciences in 1965. The book was rejected. He then revised and greatly expanded it, completing the work in 1968. Forty folders full of research material on the Stalin period were among the papers taken from his apartment by the KGB.

Last week Medvedev left his home and moved in with friends. He is said to be under constant police surveillance. At week's end, in an open letter circulating in Moscow, Medvedev strongly protested against the "absolutely arbitrary nature and illegality" of the police raid. Some fear that this new round of harassment may be a prelude to arrest, but there is hope that Medvedev's international stature may be sufficiently enhanced by *Let History Judge* to persuade the authorities to think twice before further persecuting him and thus touching off a worldwide protest.



TITO & EGYPT'S SADAT
Balancing act.

alignment. In some respects a sort of Marxist Metternich, the Yugoslav President has done a shrewd balancing act between the major powers with which Belgrade must deal. Recognizing that a triangular rivalry was inevitable among the U.S., the Soviet Union and China, he has tried to work himself into a livable relationship with all three.

Recently he re-established diplomatic bonds with Peking and extended an invitation to Premier Chou En-lai to visit Belgrade. Then he turned around and played host to Soviet Party Boss Leonid Brezhnev, with whom he joined in a declaration of friendship and cooperation. Now, closing the triangle, Tito is moving to enhance Yugoslav-American relations, which have been better than ever since President Nixon's 1970 state visit to Belgrade.

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Last week reports were circulating in Russia that Roy Medvedev had left his job at the Academy of Pedagogical Sciences in Moscow after the KGB (the Soviet secret police) had searched his apartment, confiscated his private papers, and issued a summons for him to appear for questioning—which he refused to obey. The police raid had the unintended effect of focusing public attention in the West on a major new work by Medvedev. Among the papers that were seized by the KGB agents was a 1,500-page typescript of the first comprehensive study of the Stalin era ever to come out of the Soviet Union. A copy had already reached the West and will be published in the U.S. in January by Knopf as a 624-page volume titled

Let History Judge: The Origin and Consequences of Stalinism.

English Kremlinologist Robert Conquest, author of *The Great Terror*, an exhaustive study of Stalin's purges of the '30s, says of the Medvedev history: "It is the first full attempt by a Russian to deal with the Stalin period, and gives by far the most detailed account yet of the errors and horrors of Stalinism."

Medvedev offers some new and intriguing evidence about Stalin's career, citing unpublished and previously unknown memoirs and monographs written by victims of the purges. Performing a delicate balancing act, he manages to deliver a scathing indictment of the Soviet regime during the quarter of a century that Stalin ruled, while at the same time endorsing the goals of the Bolshevik revolution and acquitting Lenin of responsibility for the crimes committed by his successor. In answer to the question of why Lenin permitted Stalin to contend for power in the early '20s, Medvedev writes: "Lenin's natural enthusiasm for people often led him into mistakes." He also criticizes Lenin for recommending in 1922 that "extra-legal justice" be used against opponents of the regime.

Aberration. If he has an occasional bone to pick with Lenin, however, Medvedev has nothing but condemnation for Stalin. He sees Stalin as typical of the "unstable and dishonorable people who join a revolutionary movement and later degenerate into tyrants." Medvedev writes: "His political views were formed under the influence of Marx and Lenin, but they did not grow into convictions, into a system of Communist moral principles. . . . He was only a fellow traveler of revolution." Medvedev's thesis is that Stalinism was an aberration of Communism and that the Marxist-Leninist system is still the best hope for Russia and all humanity.

Medvedev conceived *Let History Judge* at the time of Nikita Khrushchev's destalinization speech in 1956. He began researching and writing the book in 1962 and reportedly submitted it for publication to the Party Central Committee's Academy of Social Sciences in 1965. The book was rejected. He then revised and greatly expanded it, completing the work in 1968. Forty folders full of research material on the Stalin period were among the papers taken from his apartment by the KGB.

Last week Medvedev left his home and moved in with friends. He is said to be under constant police surveillance. At week's end, in an open letter circulating in Moscow, Medvedev strongly protested against the "absolutely arbitrary nature and illegality" of the police raid. Some fear that this new round of harassment may be a prelude to arrest, but there is hope that Medvedev's international stature may be sufficiently enhanced by *Let History Judge* to persuade the authorities to think twice before further persecuting him and thus touching off a worldwide protest.



TITO & EGYPT'S SADAT
Balancing act.

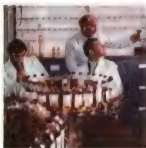
alignment. In some respects a sort of Marxist Metternich, the Yugoslav President has done a shrewd balancing act between the major powers with which Belgrade must deal. Recognizing that a triangular rivalry was inevitable among the U.S., the Soviet Union and China, he has tried to work himself into a livable relationship with all three.

Recently he re-established diplomatic bonds with Peking and extended an invitation to Premier Chou En-lai to visit Belgrade. Then he turned around and played host to Soviet Party Boss Leonid Brezhnev, with whom he joined in a declaration of friendship and cooperation. Now, closing the triangle, Tito is moving to enhance Yugoslav-American relations, which have been better than ever since President Nixon's 1970 state visit to Belgrade.

Ever since Tito's break with Stalin in 1948, Yugoslavia's survival as an independent state outside Soviet hegemony has been treated by successive American administrations as a matter

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Prize for a Chilean Poet

SINCE 1901, when the Swedish Academy chose the first recipient of the Nobel Prize in Literature and bypassed Leo Tolstoy, the awards have often been surrounded by controversy. There is still a furor over last year's pick, Soviet Novelist Alexander Solzhenitsyn, whose works (*Cancer Ward*; *The First Circle*) expose the authoritarianism of Soviet life. Fearing that he would not be allowed back into the U.S.S.R., he has not dared travel to Stockholm to accept the award; and the Swedish embassy, fearing an adverse reaction from its Soviet hosts, refuses to stage a public ceremony for him in Moscow.

Last week, as the secretary of the Swedish Academy, Karl Ragnar Gierow, stood outside the academy's headquarters in Stockholm's old bourse to name the 67th Nobel laureate, he told the gathered newsmen: "On television the other night [a Swedish author] remarked it would be better to give all the prizes to ambassadors so there won't be any problem in handing over the prize. Today we are doing as he suggested. The 1971 Nobel Prize in Literature is awarded to Ricardo Eliezer Nefitai Reyes y Basoalto." After a theatrical pause, while most of his audience wondered what obscure writer the academy had chosen this time, Gierow added: "Also known as Pablo Neruda."

A Real Man. In naming the world-renowned Chilean poet, Communist and ambassador to France, the academy picked another controversial figure. He is only the third Latin American to be given the coveted prize—following his high school teacher, Chile's Gabriela Mistral (1945), and Guatemala's Miguel Angel Asturias (1967). Some feel that his immense output—by his own estimate, some 7,000 pages of poetry—is occasionally marred by obscurantism and Marxist propaganda. But Spanish Poet Federico Garcia Lorca, who was killed during the Spanish Civil War, praised Neruda as "a real man who knows that the reed and the swallow are more immortal than the hard cheek of a statue."

In announcing the award, Gierow described Neruda as "the poet of elevated human dignity," one who "brings alive a continent's destiny and dreams." He added: "Those who are searching for Neruda's weak points have not far to look. Those who are looking for his strong points need not search at all."

Sense Over Intellect. Born on July 12, 1904, in Parral, Chile, Neruda was already writing poems by the age of eight, although his father, a railroad worker, hated poets and would burn his son's notebooks. Fearing his father's wrath, he first used the pen name Pablo Neruda when he was 15, taking the surname from the Czechoslovak writer Jan Neruda (1834-91). In 1923 his first volume of verse, *Crepuscularia* (Twilight), was published. A year later, he fol-

lowed with *Twenty Love Poems and One Song of Despair*, a book that remains his most popular, with more than a million copies sold. It evokes an instinctive materialism based more on the senses than the intellect, and the flesh becomes identified with the sensuous geography of his native country: "I have been marking your body's white atlas with crosses of fire. / My mouth was a spider which crossed, hiding itself. / In you, behind you, fearful, thirsty."

In the Latin American tradition, the Chilean government rewarded him in 1927 with a series of consular posts that took him to Burma, Ceylon, Java, Singapore, Argentina and Spain. In Barcelona and Madrid during the Spanish Civil War, he found his sympathies with



NERUDA IN PARIS

Declarations of loathing and love.

the Loyalists, became a Communist, and began writing socially "committed" poetry with a passionate lyricism strongly akin to Walt Whitman's.

Poetry of Impurity. He advocated a poetry of "impurity," steeped in the total apprehension of material things. This "world of objects," he wrote, is "steeped in sweat and in smoke, smelling of lilies and urine. . . . a poetry impure as the clothing we wear, or our bodies, soup-stained, soiled with our shameful behavior, our wrinkles and vigils and dreams, observations and prophecies, declarations of loathing and love, idyls and beasts, the shocks of encounter, political loyalties, denials and doubts, affirmations and taxes."

His new allegiance to Communism required a direct and lucid language. His anti-Yankee "The United Fruit Co." is a bitter diatribe against economic imperialism: "Jehovah divided his universe: Anaconda, Ford Motors, Coca-

A Teaspoonful from Neruda

THERE is something preposterous about picking individual poems or even collections out of this boundlessness," the Swedish Academy's secretary said last week of Pablo Neruda's work. It is "like bailing a 50,000-tonner with a teaspoon." Herewith a teaspoonful:

... look at me from the depths
of the earth,
tiller of fields, weaver, reticent
shepherd . . .
jeweler with crushed fingers . . .
say to me: here I was scourged
because a gem was dull or be-
cause the earth
failed to give up in time its tithe
of corn or stone.
Point out to me the rock on which
you stumbled,
the wood they used to crucify your
body.
Strike the old flints
to kindle ancient lamps, light up
the whips
glued to your wounds throughout
the centuries
and light the axes gleaming with
your blood.

I come to speak for your dead
mouths . . .
—From *The Heights of Macchu Picchu*, XII

The Turtle

... Patriarch, long
hardening
into his time,
he grew
weary of waves
and stiffened himself
like a fluteron.
Having dared
so much
ocean and sky, time and terrain,
he let his eyes droop
and then slept,
a boulder
among other boulders.

To The Foot From Its Child

The child's foot is not yet aware
it's a foot,
and wants to be a butterfly or an
apple.

But later, stones and glass shards,
streets, ladders,
and the paths in the rough earth
go on teaching the foot it cannot
fly,
cannot be a fruit swollen on the
branch.
Then, the child's foot
was defeated, fell
in the battle,
was a prisoner
condemned to live in a shoe . . .
—From *A New Decade*
(Poems: 1958-1967)

Cola Inc., and similar entities; the most succulent item of all, The United Fruit Company Incorporated."

Turning overtly to politics, he joined the Communist Party and was elected to the Chilean Senate in 1945. After accusing Chile's President Gabriel González Videla of having sold out to the U.S., Neruda was forced to flee in 1948, and until 1953 lived in exile. Meanwhile he finished the major work of his career, the Whitmanesque *Canto general*, which celebrates the struggles of the Latin American peoples against rapacious exploitation.

Rub of Verity. Despite Neruda's continuing Marxist stance, only a small percentage of his countless poems can be considered purely political. Though he won the Stalin Peace Prize (1953), he ultimately disapproved of the personality cult of Stalin. In 1954 he wrote: "Stalin is the high noon, the maturity of man and of peoples..." But in 1963 his assessment had completely changed: "This cruel man stopped life."

Buddha-like in appearance, Neruda is an intense lover of his native land and an obsessive searcher through memories and the senses for "the rub of mysterious verity." When not in Paris, he usually lives in Isla Negra on the Chilean coast. For 20 years he was a perennial Nobel nominee. By the time the Swedish Academy finally conferred on him the gold medal and the \$87,000 in prize money, he had just about abandoned hope that he would ever be so honored for what he once described as "the equivocal cut of my song."

NORTHERN IRELAND Off the Deep End

The troubles of Northern Ireland boiled over in many directions last week. In Dublin, the capital of the Irish Republic to the south, Prime Minister John Lynch attacked the British for troop violations of his border, and threatened to call upon the United Nations to police the area.

In Amsterdam, Dutch police seized a planeload of Czech-made arms flown from Prague and allegedly intended for the outlawed Irish Republican Army to use in its campaign to oust British troops from Ulster. They also arrested the Belgian pilot of the charter aircraft and an American who was charged with importing arms without a license.

In London, demands mounted for an open investigation into published reports (see THE PRESS) that I.R.A. suspects in Belfast were being brainwashed and tortured. In Ulster itself, where at least ten more died in one of the bloodiest weeks thus far, the British were blowing up roads along the Ulster-Eire border to stop gunrunning. They also boosted their troop force to 13,500 men.

Perhaps the biggest brouhaha of all originated in the U.S. Senate over a resolution by Democratic Senators Edward Kennedy and Abraham Ribicoff calling for the withdrawal of British troops from Northern Ireland and talks leading to a united Ireland. "Ulster is becoming Britain's Viet Nam," said Kennedy in a speech: "America cannot keep silent when men and women of Ireland

are dying. Britain has lost its way, and the innocent people of Northern Ireland are the ones who now must suffer..." The tragedy of Ulster is yet another chapter in the unfolding larger tragedy of the empire. It is India, Palestine, Cyprus and Africa once again."

Hoary Propaganda. The speech caused hardly a ripple in the U.S., but from Belfast to Whitehall it reaped a whirlwind of scorn. Kennedy, declared Northern Ireland's Prime Minister Brian Faulkner, "has shown himself willing to swallow hook, line and sinker the hoary old propaganda that I.R.A. atrocities are carried out as part of a freedom fight on behalf of the Northern Irish people." Other critics quickly pointed out that Kennedy's proposal for unification was unrealistic, and that even the Irish Republic's Lynch has said only that he hopes unification can be achieved in his lifetime. In the *London Times*, Louis Heren said that "[Kennedy's] assertion that the U.S. was entitled to intervene because of the Irish contributions to American culture" amounts to "an ethnic Brezhnev doctrine."

The British Foreign Office declined to comment, but a Conservative M.P. introduced a motion in the House of Commons questioning the Senator's qualifications "for expressing moral judgments on anything"—an obvious reference to the 1969 Chappaquiddick tragedy. In a cutting cartoon, the *London Evening Standard* showed a crusty clubman growing over his port: "Looks like Kennedy's driven in at the deep end again."

Prize for a German Peacemaker

In the midst of a heated debate about West Germany's budget one afternoon last week, Bundestag President Kai-Uwe von Hassel suddenly clanged his hand bell and the packed parliament fell silent. A moment later, its members broke into thunderous applause, and deputies on both sides of the aisle rose in a standing ovation. Von Hassel had just announced that Chancellor Willy Brandt was the winner of the 1971 Nobel Peace Prize. Greatly moved, Brandt told the Bundestag that he would do everything "to make myself worthy of this honor."

Brandt, 57, is only the third head of government to win the world's highest humanitarian award. The five-member Nobel Committee of the Norwegian Parliament, which selects the recipient, cited his efforts on behalf of the 1968 nuclear nonproliferation treaty, his signing of nonaggression treaties with Poland and the Soviet Union last year, and his moves toward easing ten-



BRANDT WITH WIFE AFTER ANNOUNCEMENT

sions in divided Berlin. "Chancellor Brandt," said the committee's citation, "has stretched his hand forward in a policy of reconciliation between old enemies. He has made an outstanding effort to establish conditions for peace in Europe."

The award did not come as a total surprise to the former West Berlin mayor who became West Germany's first Social Democratic Chancellor in 1969. As rumors grew that he was a leading contender, Brandt privately urged that Jean Monnet, the French architect of the Common Market, be honored instead. Though relations between West Germany and Eastern Europe have greatly improved, Brandt regards his policy of reconciliation as only half begun, and he has a point. The Bundestag, where his party has only a slim majority, has not yet ratified the nonaggression pacts with Warsaw and Moscow. Franz Josef Strauss, a power in the opposition Bavarian Christian Social Union, urged only last week that Brandt abandon his *Ospolitik* and "return things to where they were."

When Brandt accepts the award and its \$87,000 cash dividend in Oslo on Dec. 10, the stage will be set for a thoroughly nostalgic scene. As a young journalist who had actively opposed Hitler, Brandt fled to Norway in 1933, became a citizen and later fought the Nazi invaders as a Norwegian major. He will deliver his acceptance speech in Norwegian—"My first language," as he is fond of saying. At his side will be his Norwegian-born wife, Rut.

*The other two were both U.S. Presidents: Theodore Roosevelt in 1906 for the Treaty of Portsmouth ending the Russo-Japanese War, and Woodrow Wilson in 1919 for helping to establish the League of Nations. Other statesmen have won, but not while in office.



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WHITES-ONLY BENCH IN DURBAN



CHIPO KACHINGWE IN PRETORIA SCHOOL

No longer so afraid of swart gevaar.

Apartheid: Cracks in the Façade

ONE of the swingiest bars in Pretoria these days is in the Boulevard Hotel, which is home to diplomatic and technical delegates from black African nations. White Pretorians go there simply to meet blacks—something that they would not have dared to do even a year ago. Even more startling, Pretoria's hostesses now consider it a social must to have at least one black man at a party; as a result, the only resident black ambassador, Malawi's sherry-sipping, highly professional Joe Kachingwe, is being run ragged. Kachingwe's six-year-old daughter Chipo recently became the first black student admitted to an all-white primary school. When one right-wing weekly greeted the event with a front-page headline reading **WHAT IS THIS KATER DOING AMONG OUR SCHOOLCHILDREN?**, most of the South African press hoisted down the paper for reaching "new depths of tastelessness."

Loosening Logjam. Can this be South Africa, the land long marred by an ugly policy of *apartheid* (separateness), which enables 3,800,000 whites to exert total dominance over 15 million black Africans, 2,000,000 Coloreds (half-breeds) and 600,000 Asians? The structure of *apartheid*, which the late Prime Minister Daniel Malan and his largely Dutch-descended Nationalists began to build in 1948, still towers over everything. No black can stay in a "white" hotel, own land or property in white areas, belong to a trade union, own a home, or vote in a countrywide election. Black political development is restricted to eight Bantustans, or "homelands"—districts set apart for a portion of South Africa's blacks, where they are gradually being granted limited self-government under a policy of separate development. But this year, reports TIME Correspondent John Blashill, "the clear spring air of South Africa fairly crackles with talk of change. There are times in the life of every major nation when it is forced to stop in its tracks, take painful stock of itself and ask itself where it is going. For South Africa, such a

time has finally come." Says Novelist Alan Paton, former leader of the banned Liberal Party: "There is a loosening of the logjam." Adds Helen Suzman, the opposition Progressive Party's only Member of Parliament: "For the first time in many years, I'm optimistic about the future of South Africa."

Fashionable Idea. The changes are more than symbolic. The government has promised new regulations that will effectively eliminate the hated "pass laws" that require all blacks to carry identity cards and severely restrict their movement; it was during a protest against these laws that police opened fire at Sharpeville in 1960, killing 67 blacks and injuring hundreds. The government-owned railway is ignoring laws against hiring nonwhites for skilled jobs; the local General Motors plant, whose labor force is 52% nonwhite, has been quietly doing the same thing for years. The Trades Union Council, the country's largest labor organization, has demanded that blacks be given the right to join unions and be paid the same wages as whites. Equal pay for equal work has been adopted by the city of Port Elizabeth, the Standard Bank and Barclay's Bank of London, and Polaroid. The idea has become, as the Johannesburg *Star* recently put it, "as fashionable as hot pants." But in many areas, it will take a long time to close the economic gap. White factory hands earn six times as much as blacks doing comparable work, white miners 17 times as much, and white teachers make more at the bottom of their pay scale than blacks at the top of theirs.

Cracks are gradually appearing in many of the petty forms of segregation with which *apartheid* has been buttressed. In Durban, the city council recently threw a multiracial cocktail party. In Johannesburg, a few adventurous whites have begun to take black friends to restaurants and bars; they are often stared at, but invariably served. Last week South Africa's 8,000-strong Chinese community won the right, in a test case, to live in white areas "where

this is permitted by the community."

The prime reason for the change is economic. South Africa is rapidly industrializing, with more skilled jobs opening up than there are white workers to fill them, and is thus ever more dependent upon skilled black labor. If the laws reserving skilled work to whites were really enforced, or if blacks were transported en masse to the Bantustans, production lines would be crippled and trains would halt.

Moreover, 71% of South Africa's white electorate are aged 36 or under, and they are less affected than the older generation by fears of the *swart gevaar*, or "black peril." Seven of every ten Afrikaners are city dwellers, accustomed to seeing blacks not as savages but as urbanites like themselves. More whites are working alongside blacks; and if familiarity has not always bred respect, at least it has helped to reduce racial fears. On a national level, the country's black politicians have been concentrating on achieving black power in the Bantustans, a goal acceptable to the Afrikaners. Chief Gatsisha Buthelezi, 42, chief minister of Zululand, last month told white students at Stellenbosch University that "if the majority of whites have now decided to set up blacks in separate states, we have no means to resist it, even if we wanted to." But, he declared, "it must be clear that we do not expect sham self-government, but the real thing." That approach, of giving blacks a political voice in the Bantustans, has eased the Afrikaner's fear of being overwhelmed by black demands in the rest of the country, and has slowly begun to erode the underpinnings of *apartheid* in the cities.

Tortured Prisoners. The foundations of *apartheid* are still too solidly entrenched to be done away with for a long time to come—if ever. The prison population is still the world's highest per capita, with 424,000 blacks behind bars, half of them for petty infractions of the pass laws. The jails also hold 800 persons who are officially classified as political prisoners. According to one recent account, the government still has 42 persons under house arrest and out

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of circulation, including a grandson of Gandhi (no newspaper can mention their names). In Pretoria, the terrorism trial of the Very Rev. Gonville French-Beytagh, the Anglican Dean of Johannesburg, is now in its third month. In Natal, where 14 nonwhites are also on trial under the government's all-purpose Terrorism Act, the defense has charged that all of the prisoners and some of the government witnesses were tortured to make them talk.

In considering even the most minor relaxations, Prime Minister John Vorster must still take into account his Nationalist Party's dwindling but vocal right wing, known as the *verkrampies* (cramped ones). Vorster, 55, a cautious pragmatist during his five years in office, has already adopted a successful "outward-looking" foreign policy of providing trade and aid to black African states. Last month he declared: "Your government is now entering an era of the most practical politics South Africa has ever known. The time of speeches, blueprints and fancy flights has gone." The statement could have meant anything, but aides insisted that it was the Prime Minister's way of telling the *verkrampies* to fasten their seat belts for even bigger changes ahead.

CANADA

"My Friend Trudeau"

Canada's Prime Minister Pierre Elliott Trudeau has made it his policy to counter the "overpowering presence" of the U.S. by underscoring Ottawa's political independence, particularly in foreign affairs. Last year he cut Canada's NATO contingent in Europe in half and established diplomatic relations with Peking, and last May he signed a protocol in Moscow providing for annual consultation with the Soviet Union.

Last week he welcomed Soviet Premier Aleksei Kosygin to Canada. The visit was particularly well timed from Kosygin's point of view, since it coincided with a dramatic upsurge of Canadian resentment of the U.S. over Washington's 10% surcharge on imports. With unemployment already above 7% and likely to rise sharply, Canadians feel victimized by the protectionist policies adopted by their best trading partner.

Limited Success. Though there were troubled waters aplenty for diplomatic fishing, Kosygin's visit was only a limited success. Before the Soviet Premier arrived, Trudeau mused: "Every week I have people demonstrating against me on Parliament Hill. If he comes, he'll have to expect a good deal of that." He was putting it mildly. Almost from the moment he arrived, the Soviet Premier was beset by demonstrators from among Canada's 173,000 Jews, 473,000 Ukrainians and various Eastern European minorities. Ottawa police found a bomb near the Soviet embassy and eleven Molotov cocktails in a nearby park. More than 7,000 Canadian Jews

marched through Ottawa demanding free emigration for Soviet Jews.

At a press conference, Kosygin replied that Russia's Jews, whom he puts at 2,100,000, enjoy proportionately better education than other citizens and that 4-450 have been allowed to emigrate to Israel in the past eight months. "It's true we're restraining in some cases the departure of some people who have just been expensively educated," he said. "Nor can we supply Israel with soldiers."

One protest could easily have wound up in tragedy, despite a swarm of Mounties and KGB men surrounding the two leaders wherever they went. As Kosygin and Trudeau strolled on Parliament Hill, a leather-jacketed demonstrator dashed through security guards and grabbed

views. Presumably, Kosygin had in mind a comment that Trudeau made in Moscow last May, when his Soviet hosts apologized for criticizing U.S. policies. "Don't bother apologizing," Trudeau cracked at the time. "It never bothers the Americans when they talk to us about the Soviets."

Kosygin did not mention the U.S. directly, but he did observe that international trade must be based "on a system that does not compel some countries to [increase] unemployment on account of the economic miscalculations of others." Kosygin also clearly hoped for Trudeau's aid in bringing about a European Security Conference much desired by Moscow. In a meeting with the Commons' External Affairs Committee, he suggested that the MPs put



KOSYGIN ATTACKED BY DEMONSTRATOR IN OTTAWA
An exercise in good intentions.

the Soviet Premier from behind, shouting "Freedom for Hungary!" As the color drained from Kosygin's face, the man almost ripped off the Soviet Premier's coat and pushed him against a fountain. The protester was quickly hauled away and charged with common assault. Though Trudeau observed that Kosygin "is a pretty hard-nosed guy," the Soviet Premier was evidently shaken. He showed up nearly an hour late for dinner, and omitted some prepared remarks thanking the citizens of Ottawa for "the hospitality they have shown us." Later, Kosygin was carefully cocooned by security men as he toured a research center and a pulp factory outside Ottawa, and met with businessmen in Montreal before flying off to Vancouver and Edmonton for some high-level tourism.

Economic Miscalculations. The business sessions with Trudeau were more rewarding. In three days of formal talks, the two leaders discussed everything from the Middle East to the India-Pakistan conflict, subjects on which Washington does not often solicit Canada's

pressure on "my friend Trudeau" to promote such a meeting.

More than anything, however, the visit pointed up the practical limits to Canadian-Soviet friendship. The only agreement the two leaders signed last week was one to expand cultural, educational and scientific exchanges. When Trudeau sought Kosygin's aid in convening an international conference on controlling pollution in the Arctic Ocean, Kosygin was cool to the notion.

The visit thus became largely an exercise in good intentions and public relations, carried out with a keen awareness that Washington was watching. Kosygin, who is expected to fly to Cuba this week, carefully observed that "this friendship in the North should threaten no one, either in the South or in any other direction." For his part, Trudeau told his guest that he hoped that Canada and the Soviet Union would develop the kind of "close and friendly relationship we have always had and hope we will continue to have with the U.S." Whether any irony was intended was not clear.

PEOPLE



BOBBY TAKING THE 35th

Mr. and Mrs. William M. Kunstler requested the pleasure of the Chicago Seven's company at a birthday party in honor of Black Panther Chairman Bobby Seale at their home, West Street, Manhattan, N.Y. This highlight of the social season gathered the "conspirators" together (with the exception of Tom Hayden, who was busy in San Diego making his own plans for the 1972 Republican National Convention) for the first time since their trial ended early in 1970. Draft beer, chips and pretzels were served, and 35-year-old Bobby was presented with a dark blue sweater. After blowing out the seven conspiratorial candles on his chocolate-frosted cake, the birthday boy toasted "all revolutionaries and political prisoners everywhere."

Women should be revolting. Liberator Germaine Greer told an audience at Montreal's McGill University. But their revolt should be nonviolent: "I would never presume to exhort the small band of really dedicated women who are prepared to die to go into the streets and be killed, because we need them to work among their sisters." The Germaine strategy for women is rather "to refuse to support the consumer-based economy—to stop buying or cut way back in their spending."

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provided the National Gallery lays out \$2,400,000, two other funds kick in \$360,000, and the general public feels it is worth \$555,600 in contributions to keep *The Death of Actaeon* on the sceptered isle.

"A great man is one sentence," declared Clare Boothe Luce in a speech to the American Gas Association convention in Boston. "History has no time for more than one sentence, and it is always a sentence that has an active verb." Dwight Eisenhower's sentence: "He led the victorious armies of the alliance in the greatest war in history." John F. Kennedy's: "He challenged the might of the Soviet Union in the Western Hemisphere and won—short of war." Richard Nixon, she thinks, "may be in the process of writing his one sentence now. It will not be on economics, but that 'He opened China to the modern world.'"

Looking back on his politically partisan days in the '30s, when he served as a Loyalist in the Spanish Civil War and lashed out at Fascism in his poetry, English-born U.S. Poet Wystan

POET AUDEN



H. Auden, 64, confessed to a New York Times reporter that he is embarrassed. "What embarrasses me is the question, 'Who benefited?' And the answer is me. The poems didn't change one thing about the war. As a poet—not as a citizen—there is only one political duty, and that is to defend one's language from corruption," said Auden. "When it's corrupted, people lose faith in what they hear, and this leads to violence."

In two of the more notable role switches since Jekyll played Hyde, Barry Goldwater attacked the U.S. auto industry while Ralph Nader laced into the young. "American cars are made shoddily," Goldwater told the National Office Products Association. "The doors don't work. The tires don't go beyond 10,000 miles. The brakes don't work." As for the young, complained Nader in *Redbook* magazine, they brag about their idealism and militancy, "but the average student spends \$250 a year on soft drinks and tobacco and movies. If they would contribute only \$3 per student per year, they could recruit the toughest, finest lawyers to begin dealing with pollution and corruption. Being stoned on marijuana isn't very different from being stoned on gin. We need a new spartan ethic in this country."

Chess and football may seem worlds apart. But the match in Buenos Aires between Grand Masters Bobby Fischer of the U.S. and Tigran Petrosian of the U.S.S.R. has at least two appurtenances of the contact sport: ticket scalping and casualty. Tickets for the matches—two to a customer—are bringing almost triple the box office price of \$60. And last week Petrosian, down 21 to 41, had to have the eighth game postponed because of "low blood pressure."

Left to right: John Froines, Abbie Hoffman, Rennie Davis, Leonard Wein-glass, David Dellinger, Bobby Seale, Lawyer William Kunstler, Lotte Kunstler, Jerry Rubin, Lee Weiner.

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44 famous mixed drinks



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1 teaspoon sugar
½ jigger fresh lemon juice

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Add orange slice on rim of glass and a cherry.
Now use recipe at right. See how a simple
switch in basic liquor improves this drink.

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½ jigger fresh lemon juice

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Women, however, the **Germaine Greer** told an audience at Montreal's McGill University. But their revolt should be nonviolent: "I would never presume to exhort the small band of really dedicated women who are prepared to die to go into the streets and be killed, because we need them to work among their sisters." The Germaine strategy for women is rather "to refuse to support the consumer-based economy—to stop buying or cut way back in their spending."

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Make both recipes . . . prove it to yourself!

ordinary SOUR

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EDUCATION

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Vacationation!

—Old elementary-school song

Not in the suburban Valley View school district outside Chicago, where F-A-L-L does not necessarily mean back to school, either. There, 1,675 elementary-school children are now on vacation. After their three-week break, the children will return to classes while another 1,675 of Valley View's 6,700 pupils take a holiday. So it goes throughout the year, summer included. Valley View uses its classrooms efficiently, dividing the children into four groups that have staggered schedules of nine weeks on and three weeks off. Thus the school has been able to absorb 1,760 new pupils without putting up a new building. Assistant Superintendent James Gove says the plan is "the equivalent of adding 75 classrooms worth \$7,500,000 without spending a cent."

Savage Squeeze. The year-round plan also spreads the load that children put on museums and public libraries. When the stagger system begins at the high school next July, it should keep down the number of idle, trouble-prone teenagers who tend to congregate on the streets during the warm months. Says Thomas Mandeville, father of a Valley View pupil: "The kids used to get bored with summer and restless with the long school year. Breaking it up is good for them. It's good for us too." Most instructors have willingly given up their usual summer vacations or moonlighting jobs for the chance to earn twelve weeks worth of extra pay (they still get a total of three weeks off during breaks for Christmas, Easter and July Fourth).

The opportunity to avoid new construction costs during a savage budget squeeze (TIME, Oct. 4) has prompted at least a dozen other school systems to follow Valley View's two-year-old example. Some have installed air conditioning, but that is a lot cheaper than putting up new buildings. The plan offers no savings, of course, to districts with enough room in their present buildings. Even so, the number of schools using rotation schemes is expected to double next year, and an estimated 1,000 systems are studying the idea.

Legal Obstacle. Proposals for all-year schooling have been around since the 1920s, but the trend began picking up momentum four years ago with voluntary plans like that in Atlanta. Wanting to provide more flexible schedules for students holding part-time jobs or taking special programs, Atlanta, Miami, San Diego and several other communities offer standard courses in summer school. Kids who attend can then take extra subjects—or vacation—in a winter term. The optional plans have done little to alleviate crowding, however.

Therefore newer plans like Valley View's are compulsory.

Teachers and administrators are often hesitant about all-year plans because they require rearranging the curriculum into smaller units. A drawback from the viewpoint of parents is the difficulty in taking long family vacations. But in most states approval by the legislature is needed to allow school boards to tinker with the schedule. Many legislators are reluctant. One bill was defeated in New York last spring when legislators from summer-resort areas objected that revisions would hurt their constituents' business.

Study Now, Pay Later

Yale undergraduates need \$4,400 to pay for tuition, room and board—\$500 more than last year. That increase took effect before the Government's price freeze was imposed, and Phase II may al-



SCHOLARS IN ADELPHI'S ROLLING CLASSROOM
Seventy-six minutes to Huntington and two years to an M.B.A.

low another hike next year. The university has frozen scholarship funds on its own. Hence Yale has offered strapped students a complex new financing scheme: a chance to borrow \$800 this year, and more later, by mortgaging their future incomes for decades.

Under the Eli version of Pay As You Earn (PAYE), students who say "charge it" will repay the debt at the rate of 4% of their adjusted gross income for each \$1,000 borrowed. Thus an alumnus who had borrowed \$4,000 and had an adjusted income of \$10,000 would pay \$160 that year. An unusual feature: each class's loans will be pooled, and payments will go on until the whole class has wiped out its collective debt, including interest. Yale estimates the payback period will average 26 years.

Having made the novel proposition last winter, Yale administrators waited somewhat nervously to see if enough students would sign up this fall to make the program practical. No need to worry. Close to one-third of the 1,294 freshmen bought the plan, as did 633 upperclass-

men and 212 graduate students. Blacks were fully represented among the borrowers, though skeptics had warned that they would be too unsure of their earning capacity to take on long-term debts. Of Yale's women, 192 have joined, despite the "reverse dowry" that they will bring their husbands if they do not go to work. Future doctors and lawyers with potential high incomes have snapped up loans even faster than students in Yale's other graduate and professional schools.

A rising number of conventional student loans are being defaulted, Yale officials say, because the usual five- to ten-year repayment schedule takes too large a bite from the borrower's income when his earning power is lowest. Because PAYE is geared to long-term income, the plan should keep a number of students out of legal trouble. So far 122 colleges have requested details on how the Yale approach is proceeding. Ohio Governor John Gilligan has proposed that students at the state's public colleges repay the state for their education in similar fashion.

Learning on Wheels

The classroom door swung open barely two minutes after the start of Adelphi University's graduate course in Principles of Marketing. In walked a gray-uniformed functionary who matter-of-factly began punching the tickets of the equally nonchalant students. The scene was purest Marx brothers, and last week it began playing daily on the Long Island Railroad's Port Jefferson line. The classroom is a converted parlor car, and the students are commuters in one of two new programs to let businessmen take courses as they ride to and from New York City.

Adelphi offers a master's in business administration. Eager scholars have to make the 6:46 a.m. out of Huntington or board at any of eight stops farther out. The "Edu-Train" program offers Financial Accounting and Process of Management on alternate mornings. Coming home on the 5:56, commuters can choose Macroeconomic Analysis or Principles of Marketing. So far, 78 students have

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signed up. In New Jersey, 20 morning riders on the Jersey Central from Matawan this week start noncredit courses in literature for the '70s and Our Changing Economy. The professors are from New York University.

As the universities see it, mobile instruction is another opportunity to serve the noncampus set—and to pick up badly needed extra income. Adelphi's fee of \$246 a course is, in most cases, paid by the students' employers. To see what the money is buying, TIME's Roger Wolmuth sat in on Adelphi's Principles of Marketing class last week. His report:

It had been a long day for the back-to-school bunch, most of them in their mid-30s, a few older. They had caught an early-morning train, gone through their regular routines at corporations like Xerox, IBM and Bristol-Myers and now were being asked to absorb economic theory. But no one looked tired. The timetable on the 5:56 was clear enough: 76 minutes to Huntington on this evening, two years to an M.B.A., more prestige in the office and perhaps bigger salaries. The mood was positive.

Rumbles and Shouts. A special challenge to a commuting student is tardiness: two would-be scholars found that the classroom had left before they got to the station. Still, New York commuters are famous for adaptability, and the 23 who did make it were no exceptions. Not the conductor, the blur of passing towns, sexy billboard advertisements or occasional stops seemed to bother anyone. Professor Desmond Reilly, a moonlighting advertising manager from the Olin Corp., stood in the center of the car. He made himself heard clearly over the rumble of the wheels by using a microphone; microphones are about to be installed so that students do not have to shout their questions.

One thing none of them questioned was the wisdom of commuter classrooms. These are ambitious men with full-time jobs and full-sized families who would find it difficult to obtain an M.B.A. by the usual route. "Actually," said Ed Gradel of the Pfizer Corp., "I started on my master's degree ten years ago and never completed it. I mean, now I've got a wife and four kids. This is a much better idea than getting home at 10:30 at night or going to school all day Saturday."

The class was also a welcome contrast to the regular diversions of newspapers, pinche and the bar car. "I'd normally be standing in the gin mill four cars forward," said John Bunbury of Monsanto. "The socializing and the standing keep you awake so that you don't miss your stop." As the conductor announced Huntington, no one seemed to have minded skipping his drink. The train was on time—something of a rarity in itself—but delays along the line would not necessarily be bad. They would simply allow more time for learning the Principles of Marketing.

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TELEVISION

Pap Art

When Billy Adler and John Margolies were growing up in suburbia, their fathers wanted them to go into law or business. But Billy and John, now 26, decided: no way. Why? It was because of TV. Margolies says. TV turned them off anything that involved reading and on to entirely new ways of looking at life that their fathers never knew. Billy and John did read Marshall McLuhan, however, and earned their master's degrees in communications. They dabbled in teaching, ad copywriting, architecture criticism and still photography.

Eighteen months ago the two found their real calling. Convinced that the "visual reality of commercial television" had become "the most important force in the country," they formed a company called Telethon to document that reality off the TV screen. Telethon's first big project is a traveling show called *The Television Environment*—a

thoroughly engaging, nonstop bombardment of slides and live TV that is currently playing at art museums in Vancouver, B.C., Berkeley and Pasadena, Calif., Tallahassee, Fla., and Baltimore.

Trivia Games. Basically a twelve-projector magic-lantern show, *Television Environment* flashes freeze frames of evocative TV vignettes round the walls of the gallery: Arlene Francis blindfolded. A masked Lone Ranger. Premier Kosygin. Indistinguishable beauty contest winners. Teddy Kennedy delivering his Chappaquiddick apology. *Truth or Consequences*. David Susskind. Moon shots. Spiro Agnew cooking linguini with Dinah Shore. *Mr. Ed*. Fulton Sheen. A sportscast logo. Truman Capote. General Westmoreland with Ed Sullivan. Perry Como. U Thant. Joe Namath, and so on, for a total of 1,000 slides that are continuously seen on the walls from museum opening to closing. Simultaneously, four TV sets in the corners of the gallery carry live local channels to relate the "art" to "life."

The show may be less pop art than pap art, but it does for TV what Andy Warhol did for Campbell's soup. "Museums have the responsibility of helping us to understand the visual environment around us," explains Margolies. "Our thing in museums is an exercise in visual perception—letting you look at the same thing you have seen before but in a different way so you can think about yourself and how you perceive it." Children and museum guards tend to cluster in the corners to watch the on-the-air programming. Adults are variously befuddled, bemused or transfixed into playing trivia identification games ("Darnit, who was Jackie Gleason's wife in the original *Honey-mooners*?"). Some visitors consider the show out of place in a museum, but most have to admit that this is their life.

An actual telethon—Jerry Lewis' 17th annual for muscular dystrophy in 1968—was "the landmark in both our lives," according to Adler, that led to their present exhibit. "We sat up for the entire 19 hours,

taking notes," he recalls. "Both of us are fascinated with TV when it is doing real things, as it is during a telethon." Among the other indelible events for Adler and Margolies, they say, were the Pope's 1965 visit to Yankee Stadium and, in 1969, the funeral of President Eisenhower. A couple of years ago, they began photographing images from the screen and, because of TV's relentless reruns, were able to capture a relatively complete archive of the past. "We wanted to isolate events, record

them and in so doing create a different reality," explains Adler.

Scoreboard Mentality. Their show, its creators say, is not intended to make invidious judgments about television. "We're just holding up a mirror to a mirror," notes Margolies. Yet their selection and juxtaposition of slides add up to a sardonic view of the TV age and of the current Administration. A still depicting Tricia Nixon's wedding is followed, for example, by the nuptials of Miss Vicki and Tiny Tim Adler and Margolies are certainly critical of TV's "scoreboard mentality"—their slides cut rapidly from weather statistics to sports results to air-pollution ratings to war casualties. "Was it 41,000 dead last week," Adler asked TIME Correspondent Sandra Burton, "or was that the attendance at the Giants' game?" Said Margolies: "TV makes participation unnecessary for most of us." Adler chimed in: "Sooner or later, human beings will occupy a small space, for TV is all about sitting you down. Eventually, we are not going to move from the day we are born until the day we die."

Nevertheless, as forerunners—or followers—of the TV generation, Adler and Margolies are apologists for what they admit are television's "give-them-what-they-want aesthetics." They believe it is TV that makes things real, which may seem like a rather naive electronic version of Bishop Berkeley's metaphysics (a tree must be perceived if it is to exist). "If there is a garbage strike and your own neighborhood is unaffected, there is no garbage strike unless you see it on TV," says Adler. "If Abbie Hoffman never set foot on TV, there would be no Abbie Hoffman, and a lot of things that happened would not have happened. I don't know what that means, but it's happening."

\$\$\$\$\$\$\$\$

Prisoners often write merely to keep themselves sane. Perhaps it was the same impulse that caused Les Brown to produce a book. After 17 years on the beat, the television editor of *Variety* set out to chronicle a full year of TV not only from in front of the set, but from behind it, at the corner offices of the networks. He did so in 1970, which, to be sure, was not an average year. It was a period of attacks by Vice President Agnew, of diminishing revenue from cigarette advertising, of unusual audience volatility. The result of Brown's endeavors is the sanest—and the saddest—book ever written about television.

Brown calls it *Television: The Business Behind the Bus* (Harcourt Brace Jovanovich: \$8.95). The \$ in the title is no misprint. The pursuit of the buck is no more dishonorable in television than elsewhere, but the pursuers constitute the most unashamed lot of yahoos, hunko shooters, numbers racketeers and overstuffed shirts that have been seen since Sinclair Lewis hung



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up his spites. Brown's cast is frighteningly real.

► Here is Robert D. Wood, president of CBS, booming one of his famous malapropisms: "Just screened the pilot for one of our new shows! Boy have we got something—a real potboiler!"

► Here is Cartoonist Joe Barbera drawing a large illustration of a beagle and a cat, central characters in a pilot cartoon about middle-class family life as seen through the eyes of their pets. "Can't sell it," complains the illustrator. [The networks] say it's too gentle. They want hard action."

"You mean violence?" asks Brown.

"We try not to use the word."

► Here is Mike Dann, when he was senior vice president of CBS, asking his underlings for suggestions to keep the network No. 1. Their contributions: "Use



AUTHOR LES BROWN AT WORK
The businessmen behind

soap-opera aspects of *Peyton Place* in all our daytime promos." "We should get Dick Van Dyke to host *Born Free*." "Lee shows are doing well. Sullivan can do *Holiday on Ice*. Let's go."

► Here is Leonard Goldenson and Simon B. Siegel, top officers of ABC, firing a brilliant, outspoken executive "because he was not bland enough for television."

Moral Chill. Brown's book is considerably more than a rich thesaurus of anecdote. A sardonic muckraker, Brown demonstrates why commercial broadcasting, now a half-century old, remains "Babbitt at 50." The moral chill of the McCarthy era still afflicts the networks. Even in their journalism there is an ever-present binary fear of Government and advertisers. Thus TV documentary writers begin a special on corruption in Saigon—only to have it scuttled. Then they are assigned a program on patent medicines—and ordered to abandon it. Then they start work on an examination of the military-industrial complex; that, too, is killed.

TV entertainment, says Brown, remains a cascade of situation comedies

and law-and-order shows because TV must always reach for the lowest common denominator—viewers in the millions who represent a wide target for advertisers. But this is not a simple numbers racket. "Evidence is clear," writes Brown, "that ghetto families are among the highest users of television—but they are not the 'right kind' of consumer. Therefore they have historically received a short count in the ratings and have not had a proper vote in the popularity of TV shows. Such has been the liberalism of the networks, on the practical level."

The Time Bomb. Those who expect aid from the Federal Communications Commission will find *TeleviSion* even more depressing. The organization is pusillanimous, says Brown. Caught between Washington and broadcasting politics, it seeks to preserve rather than to alter.

HAROLD



WATCHING THREE TV SETS
box are frighteningly real.

Nor can much be expected from changes at the networks. The small affiliate stations still have the right to refuse what they find disagreeable. This tail-wagging-the-dog situation curbs most attempts at quality or daring. Nor does Public Broadcasting offer a sanguine alternative. The networks tolerate it as their Majesty's Loyal Opposition—as long as it retains its obsequious manner. Should it ever capture more than a snippet of the vast audience, broadcast lobbyists in Washington would reduce its generous funding to a trickle. Given this bland, canned state of TV, does the audience have any hope at all for fast, fast relief? After 365 pages of documented despair, Brown suddenly goes upbeat, trusting the general viewer to reforest the wasteland. The result is reminiscent of the happy ending tacked to a TV melodrama. It also reflects an abiding belief in the populist tradition. "The freedom of the public," says Brown, "is the time bomb in television." So far, the freedom has meant nothing, but in *TeleviSion* it is both funny and terrifying to watch it tick.

• S. Kanter



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THE THEATER

Messing with Max

"I remember being really bored by a play on the evening of my tenth birthday," Max Beerhohn once wrote. How sad that he would have been equally bored by *The Incomparable Max*, the play that owes its title to Bernard Shaw's apt and durable phrase. Playwrights Jerome Lawrence and Robert E. Lee also came to praise Sir Max, but they ended up burying him.

The work is a glue job rather than an organic entity. The authors took two of Beerhohn's stories, *Enoch Soames* and *A.V. Laidler*, and awkwardly mixed Beerhohn in as a character among his own creations. In passages that are almost unrelated asides, they have Max as drama critic quoting himself on plays, players and playgoers. These comments lack the pithy bite of aphorisms, and as out-of-context fragments, they lose much of the slyly inflected wit that is one of the special pleasures of reading Beerhohn. The tone is wrong too. Clive Revell employs a voice and manner of waspish arrogance, whereas benign scorn or amused disdain would be truer to Max.

Prescient Palmist. Of the stories, *Enoch Soames* is the better one. Soames (Richard Kiley) is a minor minor poet pickled in absinthe who harbors a paranoid conviction: people who ignore his slim volumes, *The Ultimate Nil* and *Fungoids*, are turning their backs on a late 19th century Milton. He desperately yearns to know posterity's judgment and makes a pact with the devil to spend a few hours 100 years hence in the library of the British Museum. There he finds that the brief and only mention of the name Enoch Soames is in a short story by Max Beerhohn.

Kiley is marvelously intuitive in the role, capturing both the smug vanity and simultaneous vulnerability of literature's seedy hangers-on. In *A.V. Laidler*, Kiley is a prescient palmist who foretells the death of four people riding in a railway coach. Or does he? Beerhohn is having a little fun with the old writer's problem of illusion and reality. Neither story is much more than an attenuated anecdote told over brandy and cigars.

The deeper problem lies with Max himself, who was too much the fastidious dandy, too much the meticulous stylist, to serve as a vehicle for the broad, hoisterous traffic of the stage. He considered his twelve-year stint as drama critic for London's *Saturday Review* a penance in the form of intellectual slumping. He viewed the theater's vulgarity with distaste, and the occasional passion of high drama with skepticism. He had his muses—grace, urbanity, nuance—and he served them exquisitely, but those girls never make the chorus line.

■ T.E. Kalem

Brechtian Harlem

When the dim lightning of mediocre minds strikes the same place twice, that place is invariably Broadway. Two weeks ago, the first musical ever based on a record album, the less than divine *Jesus Christ Superstar*, opened at the Mark Hellinger Theatre. Last week the second musical based on an album, Melvin Van Peebles' *Aint Supposed to Die a Natural Death*, opened at the Ethel Barrymore Theatre. Catastrophes traditionally come in threes, but let us pray that the real Jesus Christ will spare us that.

Aint is a jumbled-up, quasi-Brechtian Harlem re-do of Elmer Rice's *Street Scene*. Manhattan has grown seedier, in or out of Harlem, since Rice wrote. The people talk tougher now, and are more frantic, more terribly frustrated.

Van Peebles, famed for his movie *Sweet Sweetback's Baadasssss Song* (TIME, Aug. 16), has brought his bile into the theater, but left his craft at the stage door. *Aint* is a series of street sketches featuring pimps, whores, hustlers, drug addicts, corrupt cops, Panthers and jailbirds—all the characters who would be promptly denounced as racist stereotypes if a white playwright dared to suggest their existence. Inevitably, there are quite a few moments of truth, a quite poignant one when a country boy (Ralph Wilcox) finds out that his sister (Barbara Alston) who fled to the city has become a prostitute. But the book is torpid, the music is undistinguished and the words are undistinguishable, thanks to a faulty sound system and a resolutely amateurish cast.

To try to dramatize the agony of black confinement is fair enough, but nowadays the ghetto can be as chic as Fifth Avenue. In their self-indulgent militancy,



WILCOX & ALSTON IN "AINT"
Soaked in bile.

black playwrights of Van Peebles' frenzied stamp like to think that they are raising welts on The Man's conscience. Actually, they are catering to a masochistic *mea culpa* claque and assorted liberal breast beaters.

■ T.E.K.

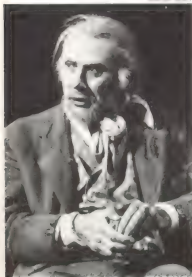
Hark, the Israeli Skylark

Americans tend to think of Europeans above the peasant level as highly sophisticated. Still, season after season, Broadway imports some foreign shows of such pristine simple-mindedness that they could not be fobbed off on a shut-in from Cucamonga.

This season's imports began with *The Black Light Theatre in Prague*, which as entertainment was on a par with a little boy doodling on the ceiling of his darkened bedroom with a flashlight. Now we are offered, direct from Israel, *To Live Another Summer, To Pass Another Winter*. True, Israel is in the Middle East, but the tastes of most Israelis are conditioned by a European heritage going back many centuries. As a musical, *To Live* is about as advanced as ring-around-a-rosy and decidedly less diverting than Sunday in Central Park.

The book is sort of an instant history of the Jews, from Abraham to Moshe Dayan. It is pretty damned skylarky for a people that wept beside the waters of Babylon and have undergone agonies of tribulation throughout their existence. The music is homogenized rock international, and the dances are United Nations hora. The girls are smashingly good-looking, probably the most fetching chorus line we are likely to see all season. If any one of them opts to stay in the U.S., she can make some deserving swain a very happy man.

■ T.E.K.



KILEY IN "MAX"
Pickled in absinthe.



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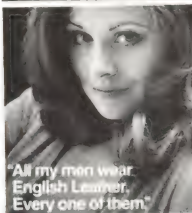
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Aid for War Wives

When the family's 1958 Ford began wheezing its last, Mrs. Virginia Fobair of Tampa, Fla., tried first to sell it, then to give it away. Hemmed in by legalisms, she finally donated it to an elementary-school carnival where, for only a dime, customers could swing a hammer at Mrs. Fobair's "frustration car." Mrs. Evelyn Grubb of Colonial Heights, Va., applied twice for a BankAmericard; both times the company replied that her husband's signature was required on the application. Mrs. Phyllis Kline and her husband, also of Tampa, owned an interest in a nearby orange grove that Mrs. Kline wanted to put on the market. But since the name of her husband, Air Force Lieut. Colonel Robert

gal problems to state bar associations.

After hearing repeated pleas from a number of wives last year, including his sister-in-law, Mrs. Frankie Ford, whose husband has been missing in action since 1968, McLin researched the problems. He found that Florida laws provided for situations in which a spouse is dead, mentally incompetent or absent by his own volition. There was no category for absent U.S. servicemen. As a result, wives who wanted to transact important family business were often helpless if their husbands had full or partial title to the property involved.

Cooperative Capitals. Responding to McLin's prodding, the Florida legislature has amended the state conservatorship law to allow P.O.W. and M.I.A. wives the power of attorney to sell property.



MRS. FORD & McLIN

The agony is compounded.

Kline, was on the title, she could not negotiate a sale.

The three women share a common problem: the agony of having their husbands missing in action or prisoners of war in Southeast Asia is compounded by frustrating legal tangles in their daily lives. They and the other wives run into a variety of restraints. Summer camps sometimes will not accept a child without the father's written approval. An insurance company held up payment for property destroyed in a fire. Colonel Kline gave his wife some legal power to deal with his property before he went to Viet Nam, but it proved not to be broad enough.

Legal Remedy. This month the Young Lawyers Section of the American Bar Association started a service to aid the 1,600 families of P.O.W.s and M.I.A.s across the country. Walter S. McLin, a Leesburg, Fla., attorney and chairman of the A.B.A. program, has announced that the Young Lawyers will provide legal assistance to families, lobby for remedial state legislation, and distribute materials on the wives' le-

gal problems to state bar associations. For values under \$5,000, the wife need only submit written notice to a judge for routine review. For amounts over \$5,000, the legislature granted similar rights but authorized the state circuit court to supervise the proceedings in detail. That way the husband's interests would be protected in major transactions, such as the sale of a house.

Texas followed Florida's example, and McLin is keeping close tabs on the calendars of all state legislative sessions in hopes that his A.B.A. colleagues will be able to collar sympathetic legislators on behalf of the wives. With remedial legislation and first-rate legal assistance, at least one problem of the families will have been eliminated.

Decisions

► Few homosexuals have pressed the cause of gay civil rights with as much legal energy as Jack Baker and James McConnell, both 29. Recently they won a round when a Minneapolis court ruled that McConnell could adopt Baker (TIME, Sept. 6). Two other legal bat-

ties, however, have just ended in failure for the couple. First, the Minnesota Supreme Court ruled that they were not entitled to a marriage license, despite their claim that "restricting marriage to only couples of the opposite sex is irrational and invidiously discriminatory." On the contrary, said the court, "the institution of marriage as a union of man and woman is as old as the book of *Genesis*." Last week, in yet another case, the Eighth Circuit Court of Appeals ruled against McConnell's suit over employment rights. He had sued because a job offer at the University of Minnesota library had been withdrawn when it was learned that he was seeking to marry Baker, now a third-year law student and president of the university's student body. The circuit court concluded that McConnell had insisted on "the right to pursue an activist role in implementing his unconventional ideas," and ruled that "we know of no constitutional fiat or binding principle of decisional law which requires an employer to accede to such extravagant demands."

► Long hair has increasingly been caught up in the machinery of justice, and the Tenth Circuit Court of Appeals, for one, has had enough of it. Faced with three cases that opposed hair-length regulations for public school boys in Colorado, New Mexico and Utah, the court said: "We are convinced that the United States Constitution and statutes do not impose on the federal courts the duty and responsibility of supervising the length of a student's hair." Neither free-speech rights nor any other of the variety of claims asserted impressed the court. Rather, the judges felt that "the hodgepodge reference to many provisions of the Bill of Rights and the 14th Amendment shows uncertainty as to the existence of any federally protected right."

► Owners of beach and lakeside houses discovered years ago that large groups of single young people are willing to pay higher rent for the summer than families will normally ante up. The problem, observed the New Jersey Supreme Court, is that "unquestionably, and regrettably, excessive noise at all hours, wild parties, intoxication, acts of immorality, lewd and lascivious conduct, and traffic and parking congestion often accompany these group rentals." The court was considering two local zoning laws that bar such group arrangements in the oceanside towns of Manasquan and Belmar. Though the court sympathized with the towns' desire for quiet, it unanimously found the laws unconstitutional. Under the zoning regulations, said Justice Frederick W. Hall, "two unrelated families of spouses and children cannot share an adequate house, nor could a small, unrelated group of widows, widowers, older spinsters, bachelors—or even judges." Hall suggested that the towns instead set numerical limits on occupancy according to the size of the house.

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MILESTONES

Born. To Dick Gregory, 39, the comic and activist who has been on a six-month fast (taking fruit juice and water only) to protest the Viet Nam War, and Lillian Gregory, 33, fellow crusader: their ninth child, a girl; in Chicago.

Married. Stavros Niarchos, 62, millionaire Greek shipowner; and Tina Livanos Onassis, 42, recently divorced from the Marquess of Blandford; he for the fifth time, she for the third; in Paris. The ceremony marked the latest round of marital musical chairs. Olympian division. Shortly after World War II, Niarchos and his business rival, Aristotle Onassis, courted and won the daughters of Shipping Magnate Stavros Livanos. Tina wed Onassis, whom she later divorced. Niarchos, in the meantime, married and divorced Tina's older sister Eugenie. Later, he wed Henry Ford II's daughter Charlotte, then returned to Eugenie, who died last year from an overdose of sleeping pills.

Divorced. Peter Ustinov, 50, author, raconteur and the only Briton ever to win two Academy Awards for acting (for *Spartacus* in 1960 and *Topkapi* in 1964); by Suzanne Cloutier, 44, a French Canadian onetime actress; after 17 years of marriage, three children; in Lausanne, Switzerland.

Died. James E. Allen Jr., 60, former U.S. Commissioner of Education; with his wife Florence in the crash of a sight-seeing plane near Peach Springs, Ariz. Allen, who earned his doctorate in education at Harvard, won a reputation for tough-minded innovation while serving 14 years as chief of New York State's labyrinthine school system. During that period he was castigated for his stands against prayer in the schools and in favor of busing. Thus when the Nixon Administration called him to Washington in 1969, the appointment was a surprise. What followed was not. Allen was soon in trouble because of his firm support of Government-fostered integration and his criticism of Viet Nam policies. The White House asked for and got Allen's resignation after 13 months.

Died. Naoya Shiga, 88, the grand old misanthropic master of Japanese letters, known to his countrymen as "the Divine Novelist" and "Emperor Shiga"; of pneumonia; in Tokyo. Shiga was a perfectionist who spent 16 years writing his only full-length novel, a semi-autobiographical work called *Anyo Koro* (Journey Through the Darkness). But he was a prolific short-story writer and essayist. His delicate and unadorned prose made his works classics. Shiga was frustrated by what he considered the inadequacies of his own language; he once urged Japan to adopt "a more exacting foreign tongue."

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SCIENCE



NIXON & SCIENCE ADVISER EDWARD DAVID BEING BRIEFED BY AEC'S MILTON SHAW

The Great Breeder Dispute

By current projections, the nation's demand for electricity will double in the decade ahead and multiply as much as six times by the year 2000. Yet the fossil fuels that are needed to generate this crucial power by conventional means—oil, coal, natural gas—are being exhausted at an alarming rate. So, too, are reserves of uranium 235, which nuclear reactors now use as fuel. Meanwhile, such alternatives as harnessing the energy of the sun—or of the earth's tides, winds, or internal heat—remain little more than scientific pipe dreams. Even the vision of controlling the power of the hydrogen bomb will probably not be realized, despite recent progress in the laboratory with thermonuclear fusion, before the turn of the century. How, then, can the U.S. meet its impending energy crisis?

National Goal. To many scientists, the answer is all too obvious: the development of a remarkable new generation of atomic power plants called breeder reactors. Named after their capacity to produce or "breed" more fuel than they consume, breeders have already been built and operated experimentally; they could, if technical flaws are overcome, help meet U.S. energy needs by the mid-1980s. But other scientists believe that breeders are a direct threat to the environment and to human life. Thus, when President Nixon recently declared that the construction of breeders was an important national goal and authorized work on a second demonstration plant, he added fuel to a growing, though as yet largely unpublicized scientific controversy.

Like ordinary nuclear reactors, breeders produce heat through fission—the familiar process of splitting unstable radioactive atoms by bombarding them with small, fast-moving particles called neutrons. As the atoms disintegrate, they release large amounts of heat that can

be converted into steam and used to drive conventional turbogenerators. They also release additional neutrons, which in turn smash neighboring atoms and thus continue the heat-producing chain reaction inside the reactor.

Ordinary reactors "burn" uranium 235, which eventually becomes stable lead. Breeders use either U-235 or man-made plutonium for fuel, but also use as a "fertile" material (a nonfissionable substance that absorbs excess neutrons freed in the chain reaction and becomes fissionable) another form of uranium called U-238. In addition to being more common than U-235, this uranium isotope, when struck by a hurtling neutron, does not break apart as does U-235. Instead, it absorbs the particle and is transmuted, by 20th century alchemy, into fissionable plutonium. Thus the breeder's fertile material is gradually converted to plutonium, which can eventually be used to refuel the parent reactor and other reactors.

For all their promise, many design problems must be solved before breeders can produce electricity on a commercial scale. One difficulty lies in handling the coolant—the liquid or gas used to transfer heat from inside the reactor's core to a steam-producing boiler outside. Unlike conventional reactors, which use water as a coolant, the so-called liquid-metal "fast breeders" planned by the AEC will use liquid sodium, which is an extremely efficient thermal conductor. But since sodium also burns in air and reacts strongly with water, it requires elaborate safeguards to prevent a mishap that could leak radioactive materials.

Sodium Flow. In addition, engineers have yet to solve the problem of precisely spacing the thousands of stainless steel rods holding the fissionable material in the reactor's core. Unless the sodium can freely flow around the rods, dangerous overheating and melting can result, as demonstrated by a failure of

the small experimental Enrico Fermi breeder near Detroit. Nevertheless, the head of the AEC's reactor development program, Milton Shaw, is confident that such engineering problems can be solved as larger reactors are built. "We know how," says Shaw. "It's only a matter of increasing the scale."

Yet many scientists, including H-Bomb Pioneer Edward Teller, continue to have grave reservations about rushing into a breeder program despite the AEC's assurances about the safety of breeders; there will be some 2,500 lbs. of plutonium inside the core of the typical commercial-sized reactor envisioned for the 1980s, enough to make hundreds of Hiroshima-sized atomic bombs. If an accident scattered only a small portion of this highly lethal and durable substance (half-life: 24,000 years) around the surrounding area, it would pose a grave threat. Some breeder critics even claim that if the cooling system broke down, the temperature might rise high enough to produce a nuclear blast. But most scientists are convinced that the configuration of the radioactive fuel and the precise timing necessary to produce an atomic explosion could never be duplicated in a breeder.

Irrational Policy. Through court action, a group called the Scientists' Institute for Public Information is trying to compel the AEC to provide more information about the potential dangers of breeders. The real purpose of the litigation, however, is to force an open debate over the \$20 billion breeder program and possibly to scuttle it. Says Environmentalist Barry Commoner, the group's chairman: "Just because the Establishment has had no rational power policy, there's no reason the public should allow itself to be panicked into an irrational policy."

But the AEC and its supporters argue just as passionately for the breeder. They contend that breeders will be more efficient than existing nuclear plants, and will exact even less of an environmental toll. Thermal pollution caused by breeders should be no worse than that from fossil-fuel plants, and breeders will not pollute the atmosphere with soot, carbon monoxide and other products of combustion—though the AEC admittedly still has not found a completely satisfactory way to dispose of radioactive wastes. In addition, the reactor core should be so well insulated by the reactor's three separate heat circulation systems that the escape of any radioactive debris will be extremely unlikely. The AEC, in fact, has moved relatively slowly; the Soviet Union, Britain, France, West Germany, Italy and Japan all have started breeder demonstration projects ahead of the U.S. California's Representative Craig Hosmer, the ranking House Republican on the Joint Atomic Energy Committee, may well have put the debate over breeders into practical perspective. "If we don't build them," he said, "then we'll end up buying them from other countries."

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This also means our car passes

the 1973 Federal Safety Standards for low speed collisions a year before it's required.

Our car is a lot different from the other car built in Sweden in other ways, too.

Our car has Front-Wheel Drive, a standard 4-cylinder, fuel-injected, overhead cam engine and 4-speed transmission (3-speed automatic is optional), 4-wheel disc brakes and roll-cage construction. Radial tires are standard too.

One thing that isn't a lot different is price. Our car costs about the same as theirs.

So before you buy their car, drive ours. The SAAB 99E. We think you're going to buy it instead.

SAAB 99E

Before you buy theirs, drive ours.



SAAB's new energy absorbing bumpers are standard equipment on the 1972 model 99E, front and rear. These bumpers are made with heavy U-shaped steel rails with energy absorbing cellular plastic blocks between them, all covered with black rubber. These bumpers absorb shocks before they reach the passenger and prevent minor bumps from becoming major repair bills.

THAT ELEGANT STRAIGHT-8

(Always the impressive choice.)



The Car:
the 1930 SJ
Duesenberg Torpedo
Phaeton—a supercharged
straight-8, which did
100 mph in second
and sold for \$50,000
in today's money.

The Whiskey:
the elegant straight-8
bourbon by Hiram
Walker himself.
Aged 8 years in the
oak and always the
impressive choice.

WALKER'S DELUXE

That elegant straight-8



BUSINESS

The Big Buildup in Housing

AS the driving force in an otherwise flagging U.S. business recovery, the housing industry is heading toward a record year. Builders, cheered by the temporary freeze on material costs and wages, are counting on the exuberant demand to continue throughout most of 1972. Though the Commerce Department reported last week that housing starts fell in September for the first time in five months, industry leaders remain buoyant. Says Eli Broad, chairman of Los Angeles' Kaufman & Broad, a big home builder: "I still think we're going to reach a record 2,000,000 starts this year."

September starts fell to an annual rate of 1,958,000 units from 2,235,000 in August, mainly as a result of a slowdown in apartment building. Developers backed off from planned projects because they were uncertain about the implications of a possible continuation of Government rent controls. Another reason for curtailing starts: builders anticipated last week's cut, from 6% to 5%, in the banks' prime interest rate, and are waiting to see if other interest rates also decline. As a result of last month's slowdown, unused permits now exceed starts, a rare circumstance that may well lead to a strong building surge late this year.

Two Years in One. An important effect of the housing rush is that it creates employment. Builders estimate that one new house provides at least two new jobs in the construction industry alone. In addition, each new home owner spends an estimated \$400 the first year on furniture, rugs and the like.

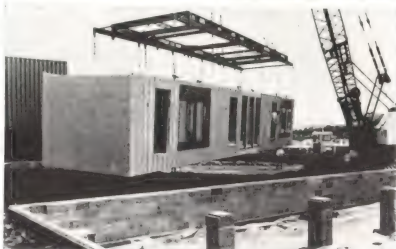
Builders have every reason for optimism. Housing starts in this year's first nine months ran 30% ahead of the same period last year. The total value of new residential construction this year is expected to be \$39.7 billion v. \$30.3 billion in 1970. Still, demand continues to outpace supply. Home vacancies are at an all-time low of .9%. Noting that many people who held off buying during last year's recession are now swelling the ranks of home purchasers, Michael L. Tenzer, senior vice president of the Larwin Group, one of the nation's largest builders, remarks: "We're having two years' demand in one."

Demand has been fanned by low loan rates most of this year. Conventional mortgage rates now average 7.6%. Moreover, to attract ever more buyers, the Federal Housing Administration has determinedly held to a ceiling of 7% on mortgages that it will insure. To raise their return to the prevailing market rates, lenders have used a complex device of charging added fees on these

FHA mortgages. In order to keep the cost of money down and housing starts up, the Government has lately begun, in effect, to pay the lender part of these fees. Increasingly incensed critics charge that this policy is giving the Government too much control in the housing industry, distorting the mortgage market by keeping rates unre-



FINISHED MODULAR IN PARCHMENT, MICH.



CRANE SWINGING FACTORY-BUILT HOME ONTO FOUNDATION
Constructing prosperity on a base of optimism.

alistically low, and adding to inflation.

Rapidly spreading Government housing subsidies are another equally controversial prop for the housing market. For example, Section 235 of the 1968 Housing Act enables "low-income" families* to have the Government pay all but 1% of their interest on a 30-year housing loan of up to \$24,000. In fiscal 1970, the Government's four principal subsidy programs totaled \$523 million. This year such subsidies will finance an estimated 30% of all housing starts at a cost of \$1.4 billion, and by 1978, the annual figure could rise to \$7.5 billion, according to Housing and Urban Development Secretary George Romney. Opponents of subsidization contend that it discriminates against middle-income consumers, ignores the very poor, and breeds fraud and shoddy workmanship.

Bargain-Hunting Grounds. Beyond modest mortgage rates and subsidies, buyers in certain parts of the country get extra advantages. In California, for example, where the climate eliminates the need for deep foundations and basements, a \$25,000 house is usually bigger and has more fixtures than a comparable model in the Midwest. Another

bargain area is San Antonio, Texas, where land and labor costs are low. The worst area for house hunters is the high-priced, heavily unionized Northeast. Nationally, the average price of a new house including land is now \$25,000, compared with \$23,400 last year. Most builders see prices continuing to rise by 5% to 10% for each of the next few years, as a result of increases in the costs of land, labor and lumber.

One promising alternative to skyrocketing housing costs is mass-produced, "module" houses built room by room in factories where the workers generally do not belong to highly paid crafts unions. Modular construction has doubled in the past five years, and this year will account for 80,000 new houses. Some large builders like National Homes and Stirling Homex turn out modular homes that are put together like building blocks on the development sites. The nation's biggest builder, ITT Levitt, operates one of the most modern of these plants in Battle Creek, Mich., turning out one complete house every hour. The modules are hauled to the building sites, where cranes hoist them into place on prepared foundations and workers nail and bolt them together in 20 minutes. Cost of an average town house: \$22,500.

* Eligibility extends to families earning up to \$10,000 a year.



GRANATELLI WITH ONE OF HIS CARS
High-compression salesmanship.

MARKETING

The Racer's Sludge

Race-Car Owner Andy Granatelli thought he had it made. After 23 years of disappointing finishes in the Indianapolis 500, Granatelli finally saw one of his entries win the big event two years ago. And besides coming in first at the Brickyard, Andy was ahead in an even more important competition. The STP Corp., of which he is president and a major stockholder, was outpacing all its engine-additive competitors on the way to a \$65 million sales year.

This year Granatelli's corporate glory has vanished in a cloud of blue exhaust smoke. An article in last July's *Consumer Reports* criticized STP Oil Treatment, warned that new-car warranties might not cover damage from an overdose of the additive and sent STP stock tumbling from its high of 58 1/2. In one frenzied trading day last week, the stock fell from 33 1/2 to 22 1/2. It finished the week at 18 1/2. Reason: Granatelli announced that third-quarter earnings had fallen 69% below last year's level of \$3,367,000, to \$1,049,000.

Elixir Mixer. Many automotive engineers have long dismissed oil additives like STP. Bardahl and Wynn's as all but useless in normal engines. Most motor oils today are fortified with so many acid neutralizers, detergents and thickeners that any additives can thwart their carefully calculated effects.

Granatelli insists that STP is a valuable lubricant, but the elixir mixer guards his formula as if it were vital to the national security. The major ingredient is apparently polyisobutylene, a long-molecule petrochemical that sells for about a dollar a gallon, appreciably less than STP. In fact, STP spends more on advertising the oil treatment than it does on producing it. Such high-compression hustling may be the main reason for STP's history of success. Even now, auto-suggestive motorists—bombaraded by radio and TV commercials ("the Racer's Edge") that often feature Granatelli and his wife Dolly

—are snapping up STP almost as fast as ever. Though earnings are down, revenues are up about 3%. Granatelli contends that the earnings drop is due to increased spending on advertising and new product development. But there may be more trouble ahead. *Consumer Reports* testers have offered their data to the Federal Trade Commission, which is looking into advertising claims of companies that make petroleum products, including STP.

STOCK MARKET

Haack Steps Down

Robert Haack, 54, president of the New York Stock Exchange since 1967, has had to deal with a financial crisis that forced 129 Wall Street firms into liquidation or merger, with pressure from Washington for closer exchange control of brokerage houses and with a Board of Governors still dominated by clubby traders who resist change. Said Haack last year: "My job is to move these people into the 21st century." In the effort, he stirred considerable acrimony among board members last November by going over their heads and bravely calling for an end to fixed commission rates on large trades. Last week, to no one's great surprise, Haack said that he will quit his \$125,000-a-year job when his five-year term ends next July.

It was probably no coincidence that at the same meeting at which Haack announced his departure, the governors elected a new member to their 33-man board: Ralph S. Saul, now vice chairman of First Boston Corp., a major investment banking house. Saul was president of the American Stock Exchange through mid-1971. He successfully reshaped the once scandal-racked Amex, and many Wall Streeters gave him higher marks than Haack for general performance. If the Big Board governors follow the recommendations of William McChesney Martin's recent study, they will select a full-time chairman and chief executive. That job may well go to Saul and the operating presidency to Richard B. Howland, now the exchange's executive vice president.

INDUSTRY

Trouble in Tools

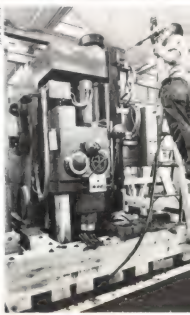
With the exception of the auto manufacturers, probably no U.S. businesses stand to gain more from President Nixon's economic program than the machine-tool makers. The investment tax credit should boost lagging sales, and the 10% surcharge on imports should reduce competition from Europe, Canada and Japan. Yet even assuming that the new Nixonomics work, the industry's leaders see no real boom in the near future. Says Michael Sheu, marketing manager for Cincinnati's G.A. Gray Co.: "We're not expecting more than 7% to 9% in real growth next year."

That would be a healthy rise for most industries, but it is hardly enough to make up for the worst depression in the tool trade since the 1930s. "It's always feast or famine in this business," says Carl L. Sadler, president of Cincinnati's Sundstrand Corp. Orders for machine tools plunged from a high of \$1.7 billion two years ago to some \$900 million last year, and they will dip to about \$750 million in 1971. Because the industry makes the machines that make other machines, it is carefully watched as a sensitive indicator of the U.S. economy. Orders for machine tools rise sharply only when major industrial customers—mostly the auto, aircraft and other metalworking companies—want to expand production.

Volatile Jobs. Because of general economic sluggishness, such metalworking firms have been pining production for most of the past two years. The best estimate is that they are now producing at only 62% of capacity, and machine-tool men reckon that demand for their own products will not really move up until their major customers' production figures reach 80%. Another problem is that foreign competitors have been underselling U.S. manufacturers by as much as 15%. Even though Nixon's program will tend to equalize prices, the overseas companies will present another threat. As a result of the recent economic slowdown abroad, they have developed excess production capacity and can offer quick delivery of tools to the U.S.

Domestic producers cannot be so prompt because they have laid off fully one-third of their 110,000 skilled workers in the past two years. Replacing them may be difficult; a major employer recently phoned six former tool assemblers before he reached one who was willing to leave his new-found, more secure job to return to the volatile world of machine tools. Thus in this sensitive sector of the economy, there may be a long wait for the prosperity that President Nixon has promised.

PACKAGING HEAVY EQUIPMENT IN CINCINNATI





These cigarette holders can give you a cleaner taste.

So can this one.

A cigarette holder keeps the end of the cigarette away from your lips.

Naturally, that gives you a clean taste.

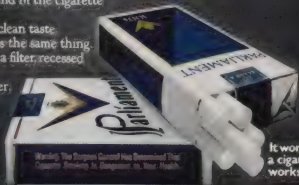
The tip of a Parliament does the same thing.

Inside the firm shell there's a filter, recessed away from your lips.

So instead of tasting the filter, you taste good, clean flavor.

The Parliament cigarette holder. It does what other holders do.

In a new kind of way.



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All our rooms have a view.

Of happiness ever after.

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CINEMA

Chasing "Frog 1"

The French Connection is a knockout police thriller with so much jarring excitement that it almost calls for comic-book expletives. pow!, zowie! The film has all the depth of a mud puddle, but Director William Friedkin (*The Night They Raided Minsky's*) sets such a frantic pace that there is hardly a chance to notice, much less care. The connection is a French businessman (Fernando Rey) who arrives in New York City with a multimillion-dollar shipment of high-grade heroin stashed underneath a car door. By dumb luck, a couple of tough nates get onto the deal and chase "Frog 1" and his friends all around the



PUZZ IN "FRENCH CONNECTION"
Stakeout in Gun City.

town, turning New York into Gun City in the process.

Many of the scenes were shot along the East River, around ramshackle warehouses and worn tenements that give the movie a sense of gritty realism. The actors who play the cops are so well cast that they seem to have grown up next door to the precinct house. Gene Hackman plays Popeye Doyle, who likes to ogle girls in boots, break heads and bust blacks; Roy Scheider is his dogged, if only slightly less compulsive, assistant. Eddie Fagan plays their boss with bullish authenticity—as well he might since he is an ex-cop who figured in the actual incident on which the movie was based.

Midway through it all there is a race between an automobile and an elevated train that is sharply reminiscent of the careering car chase in *Bullitt*. Philip D'Antoni produced both movies, and it is obvious from the similarities in pacing and incident that he also took a hand in their direction. If he was imitating his first success with *The French Connection*, he has also improved upon it.

■ Jay Cocks

The Alienation Blues

T.R. Baskin is heavy laden with home truths. Big cities—Chicago in this particular case—alienate us one from the other. They corrupt. They deaden. Upon occasion, one stranger meets another. Some spark of humanity is generated, if only for a moment, but its warmth and light rapidly flicker and die. Alone once more, the stranger wanders down a crowded street.

Candice Bergen plays (she can never be said actually to portray) T.R. Baskin, a callow young thing from Ohio, so fresh faced that she looks like a Clearasil testimonial. T.R. gets a job in the typing pool of some Kafkaesque neon-lit office. A friend finds her a date with an affluent racist, whom she fearlessly denounces. After that it is home to her crummy one-room apartment and endless nights falling asleep in front of the television.

Desperate, she walks the streets and notices a man in the window of a coffee shop. He is tall, curly haired, solidly built and, most important, reading R.D. Laing. To bed. Next morning, even before the gentleman turns T.R. out, he manages to turn her off by slipping her "a little cab fare" Shock. Tears. Failure of communication. Alone once more.

All of this is vouchsafed via flashbacks. In between such scenes, T.R. is in the hotel room of a nervous, balding, middle-aged automobile salesman from Utica who got her name from the swine who humiliated her. Peter Boyle, as the salesman, and James Caan, as the swine, do the best they can, which is extremely well indeed, but the movie's clumsy feints at sophistication and its grotesque sentimentality prevail. "Do you ever think of writing 'I love you' on the inside of the tires you sell?" T.R. inquires of the salesman, who is understandingly unnerfed by the question. With di-ologue like that, it is no wonder T.R. is alone and friendless.

■ J.C.

Fatal Fix

Born to Win is a problem picture about The Problem (dope). It is also about more than that—which is where other problems enter in. With them come some social commentary, some of the aspects of a conventional thriller, some comedy, some rueful drama. Trouble is, all the parts never completely fit together.

George Segal is an ex-hairdresser called J., a facile and funny junkie who likes to say "I'm not addicted, I'm habituated." He roams around Manhattan's West Side scraping up money for fixes and getting into trouble. The cops hassle him. The neighborhood pusher cons him into running sinister little

missions on his behalf and rewards him with insubstantial quantities of dope. J. tries swiping a large shipment of heroin, but some hoods catch him, strip him and lock him in a bedroom while they mull over his ultimate fate. He escapes by the wildly funny expedient of donning a woman's dressing gown and putting on a display of perverse exhibitionism to attract the attention of some neighbors across the way. The police are called and cause so much confusion breaking into the apartment that J. has an easy chance to run for it.

But where can he run? The city offers no sanctuary. J. finds temporary solace with a spacy little number named Parm (Karen Black), but the cops are soon on his back again. They want him to help trap the pusher. It is at this point that *Born to Win* breaks down



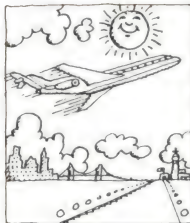
SEGAL (LEFT) IN "BORN TO WIN"
Habituated, not addicted.

into arbitrary and rather predictable melodrama. The pusher gets wise to the scheme. He unloads some had dope on J., but J.'s buddy Billy Dynamite (Jay Fletcher) shoots it first and dies. Scared, J. wants nothing more to do with the cops' scheme, so they bust Parm on a trumped-up charge to force his hand. J.'s choice is excruciatingly simple: blow the whistle on the junkie, who will have him killed, or spend the rest of his sorry life in jail for trait-flicking in heroin.

A few years back, Czech Director Ivan Passer made *Intimate Lighting*, which was acclaimed for its warmth and comic invention. In *Born to Win*, Passer seems a good deal less sure of himself—perhaps because he is working in America for the first time. He handles his actors well—Segal, Fletcher and Black are all exceptionally effective—but he shows no understanding of the social forces that eventually engulf the characters. The film's final scene is, unhappily, less resolution than stalemate. Worse, it has ceased even to matter which alternative J. will choose.

■ J.C.

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BOOKS

Post-Mortem

365 DAYS by Ronald J. Glasser, M.D.
292 pages, Braziller, \$6.95.

"When you are describing a disaster," Ronald Glasser explains, "you talk to the victims." Glasser is a young Minneapolis pediatrician who was drafted in 1968 and assigned to the Army hospital at Camp Zama, Japan. His job there was to care for the children of military families. But his attention was soon absorbed by the hospital's more specific mission—mending the thousands of shattered soldiers who were flown in from battle in Viet Nam. Glasser began listening to the wounded in his off hours, then writing their stories down. Though his previous literary experience was limited to "fiddling" with collegiate poetry, he eventually shaped what he heard into *365 Days*, a literary fugue of documentary sketches that may survive among the most brutally vivid accounts of war ever written.

Glasser's intention was not to get at the political truth of Viet Nam but to get at the particular, personal experiences of some of the Americans who fought there. He succeeded almost too well. As in all fictionalized journalism, the greater the author's skill at re-creating the minute details the more the reader wonders exactly how the writer got it all down so precisely. Glasser exhaustively rechecked details with his witnesses. As he explained recently: "I'd asked, How hot was it? Is this how it happened, how it looked?" Often the wounded demanded changes. They edited out, for example, most generalizations and political ironies. One advised him: "Don't sound like a damned journalist."

Lost Legs. Glasser's chronicles begin at Zama, where the doctors were surrounded by adolescents whose bodies, for no purpose that they could fathom, had been suddenly mutilated. "They were worried," Glasser observed, "not about survival, but about how they would explain away their lost legs. Would they embarrass their families? Could they go to the beach and would their scars darken in the sun and offend the girls. Above all, and underlining all their cares, would anybody love them when they got back?"

365 Days—the one year of a standard combat tour—is, among other things, a compendium of the special lore of Viet Nam, with its vocabulary of "dinks" and "louches" (light observation helicopters). Glasser interweaves dual themes: the elaborate efficiency of the U.S. medical organization (98% of the wounded who make it to Japan survive) and the even more elaborate systems for killing, the insane ingenuity of war. Men mimic the machine's inventiveness. Pressed for high body counts—even given quotas—some units "buried their kills on the way out [on a mission] and dug them up again to be recounted on the way in."

"Mayfield," a highly skilled, 43-year-old career sergeant, devised forlornly human techniques—separating the newly arrived married men into different platoons, for example, to reduce the danger that they would all be killed at once. Medics are allowed in the field only seven months because they start developing an obsessive sense of responsibility. Says Glasser, "They begin getting freaky, cutting down on their own water and food so they can carry more medical supplies; stealing plasma bottles, writing parents and friends for medical catalogues so they can buy their own endotracheal tubes." Some carried M & M candies as placebos, slipping the sweets between the lips of the wounded "as they whispered to them over the noise of the fighting that it was for the pain. In a world of suffering and death,

Buck in camp at breakfast, another soldier sees the blood on his hand. "That you?" he asks. "Johnson looked thoughtfully at his hand. He seemed suddenly subdued, almost awed. 'No,' he said. 'That's him.'"

Though his hatred of the war is all but incandescent throughout, Glasser's book is more complex than an antiwar document. He sympathetically records, for example, the story of "McCabe," an intelligent and ambitious college man who joined the Army, passed OCS, then entered Ranger training, partly out of some sense of what Yeats called "the fascination of what's difficult." A personal ethic of excellence propelled him to master the techniques of survival and killing. There is a larger American lesson in him. McCabe wound up, 27 days after he arrived in Viet Nam, sitting on an armored personnel carrier and calling down artillery to blow apart a Vietnamese village—"women, children, dogs, huts, rice, wa-



AMPUTEES AT WEST COAST HOSPITAL (1967)
Would their scars darken in the sun?

Viet Nam is like a Walt Disney true-life adventure, where the young are left alone to take care of the young."

In various ways, the book suggests again that My Lai was no isolated incident. Glasser tells of one old Vietnamese casualty shot because he would not give up the carton of Cokes he was carrying on his bicycle. Other gestures are simply the dreadful protocols of war: after a bloody fight, helicopter pilots gathered the dead North Vietnamese in cargo nets and flew off to dump them in the path of the retreating enemy.

Glasser describes two night ambushers at work. One is intent on completing a collection of North Vietnamese army belt buckles, like Norman Mailer's Sergeant Croft collecting gold teeth. In the claustrophobic jungle night he encounters a "gook," attacks him with a bicycle chain and then with his bayonet. "Knifing again and again until he could feel the head coming loose in his other hand."

ter buffalo, the whole thing"—because someone had fired a single sniper round from that general direction.

Other doctors, notably William Carlos Williams, have combined literature and medicine. Boris Pasternak, in *Doctor Zhivago*, regarded the fusion as a ministry to body and spirit. Ronald Glasser, 31, considers his excursion into prose less a vocation than a special necessity of the moment, a response to the anguish and perplexity of young soldiers who are, he believes, essentially children. He has no immediate plans to write anything else.

Glasser grew up on Chicago's North Side, went to Johns Hopkins medical school and, after he completed his internship and residency there, went on to Zama. His tour of duty finished, he has been practicing as a pediatrician at Minneapolis' Hennepin County General Hospital and is now returning to study

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YAMAHA

Ask about the Yamaha Music School, a uniquely rich educational experience for children four to eight

kidney disorders in children at the University of Minnesota medical school. At his hospital recently, Glasser said, "I've handled a child-battering and two child-molesters today. All in all, I've gotten so I don't like adults very much."

—Lance Morrow

Easy Writer

REVENGE OF THE LAWN by Richard Brautigan 174 pages Simon & Schuster \$5.95

Escape literature is the term generally used to designate a chickenhearted conspiracy of writers and readers who do not want to face up to real life. But as Playwright Tom Stoppard noted in his existential comedy *Rosencrantz and Guildenstern Are Dead*, an exit is always an entrance some place else. One of the most original, whimsical escape artists in contemporary American writing is Richard Brautigan, who is definitely some place else.

His best work, an effortless and lovely cloud of confetti about the decline of the sweet, the good and the pure, was called *Trout Fishing in America*. The main character was Trout Fishing itself—among the cleanest and most refreshing combinations of words in English. Unfortunately, this personification of a peerless gerund suffered a surrealistic metamorphosis that included its becoming a pen point, a legless alcoholic and a dinner companion of Maria Callas. At the end, Trout Fishing wound up in a junkyard as a used stream, for sale by the foot.

Revenge of the Lawn, Brautigan explains, contains two chapters that were meant for *Trout Fishing* but somehow got misplaced just before the book was published. The first is "Rembrandt Creek," which "looked like a painting hanging in the world's largest museum with a roof that went to the stars and galleries that knew the whisk of comets." The second, "Carthage Sink," is about "a God-damn bombastic river" that suddenly dried up in mid-hoax.

It is unlikely that readers of *Trout Fishing* noticed their absence. The two chapters are just as much at home in this collection of 62 stories as they would have been in their intended novel. In fact, it is not even necessary to separate Brautigan's prose into short stories or novels. All of his images, longings and humor eventually float free of their structural moorings and are kept aloft by the only thing in Brautigan that really counts—his special voice.

Loneliness, aloneness and loss are his particular loves. There are occasional notes of tinny sentimentality and studied coyness. But there are also funny fantasies casually conjured out of sad realities. For example, a depositor, fatefully always to select the slowest line at the bank, finds himself behind Siamese twins: "One of them is putting eighty two dollars in his savings account and the other one is closing his savings ac-





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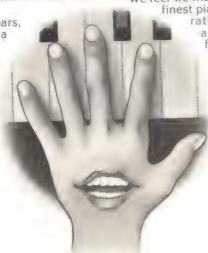


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YAMAHA

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kidney disorders in children at the University of Minnesota medical school. At his hospital recently, Glasser said, "I've handled a child-battering and two child-molesters today. All in all, I've gotten so I don't like adults very much."

■ Lance Morrow

Easy Writer

REVENGE OF THE LAWN by Richard Brautigan 174 pages Simon & Schuster \$5.95

Escape literature is the term generally used to designate a chickenhearted conspiracy of writers and readers who do not want to face up to real life. But as Playwright Tom Stoppard noted in his existential comedy *Rosencrantz and Guildenstern Are Dead*, an exit is always an entrance some place else. One of the most original, whimsical escape artists in contemporary American writing is Richard Brautigan, who is definitely some place else.

His best work, an effortless and lovely cloud of confetti about the decline of the sweet, the good and the pure, was called *Trout Fishing in America*. The main character was Trout Fishing itself—among the cleanest and most refreshing combinations of words in English. Unfortunately, this personification of a peerless gerund suffered a surrealistic metamorphosis that included its becoming a pen point, a legless alcoholic and a dinner companion of Maria Callas. At the end, Trout Fishing wound up in a junkyard as a used stream, for sale by the foot.

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out the answer, we suggest you ask your advertising agency.

The difference between a good agency man and a good technician is in basic attitude. The technician knows what he wants to make. The agency man knows, or can find out, what people want made.

That simple "people approach" to new product development can save

a company millions of dollars.

You might even be doing something to keep this country from becoming a great technologically innovative junkyard.

CAMPBELL-EWALD, CHICAGO

875 N. Michigan Avenue
Chicago, Ill. 60611

Campbell-Ewald Company, Advertising

count. The teller counts out 3,574 dollars for him and he puts it away in the pocket on his side of the pants."

Brautigan, a self-confessed minor poet, exploits his limitations to the fullest. Another original. Poet Gary Snyder, has said that Brautigan's work consists of "flowers for the void." *Lionel* offers plenty of rosemary for remembrance and, if Brautigan harbors any bitterness for a world that now sells used trout streams by the foot, he certainly wears his rue with a difference.

■ R.Z. Sheppard

Fine Words

DEATH OF THE FOX by George Garrett. 739 pages. Doubleday. \$10.

At around page 500 of this novel about Sir Walter Raleigh's last years, the reader is fending off the fine words with his free hand and shouting "Enough!" And yet . . . and yet . . . (as Novelist Garrett, whose prose is mealed with portentous dots, might write) the gaudy style is grounded in intelligence, and it fits the character and the times. Raleigh, the last Elizabethan, had swagger and intelligence in excess. That being so, it was wise of the author to be liberal; excess carefully spooned would be absurd.

This flourish of a book takes Raleigh from the year 1603, when he was condemned to death for his supposed part in a plot against James I, the new king, to 1618, when James finally enforced the sentence. Raleigh was a complex figure—a scholar, poet, courtier, soldier, explorer, promoter, privateer. Garrett's narrative is appropriately various: a subtle play of moods and musings, expository fragments, incantations set in italic type, scenes from Raleigh's young manhood and middle years. But the sense is simple enough, as well as convincing: here were a man and an age the likes of which will not be seen again.

The Fox raised up by Garrett is an almost operatic hero. His single weakness is pride, but he is saved from the stiffness of pride by an ironist's self-knowledge. The author manages to make him credible and even more or less persuades the reader to accept such verbal acupuncturing as this: "Old it is true. But mark you, sir, I shall never be so old or frail that I could not spit the likes of you on the point of a rapier like a poor sparrow. I would cut you clean from your high beard to your lower one, where all your brains dwell."

Such bombast raises a problem inherent in all historical novelizing. If Garrett had written a conventional biography of Raleigh—as he is certainly equipped to do—he would have marshaled evidence to support opinions, scrupulously noted where assumption bridged fact and mentioned in rebuttal any important contrary theories. The reader would have been left with a strongly argued view of Raleigh. That is quite different from what is to be found in *Death of the Fox*. The reader who lacks the specialist's knowledge nec-

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essay to see the seams between fact and assumption is robbed of the uncertain historical Raleigh and given Garrett's plausible Fox in his place. Bright, new-made legend envelops insufficient fact.

Raleigh, "a most satirical courtier," commands the book, but three splendid set pieces are the best of it. Garrett summons three ghosts—a sergeant, a sailor, a courtier. These winy wraiths testify singly and at bold length about Raleigh, but mostly about soldiering, flattering, storms and other things they know. The illusion is so good that the skin crawls. Here, for example, is the courtier taking his leave: "This ghost, an ageless young man, ever idle and restless, courteous and cruel, unchanging child of change, this man will say no more. He touches his lips to signal silence. He smiles and, miming the blowing out of



RALEIGH AT EXECUTION

A swirl of silk and colored smoke.

a candle, he takes a thief's farewell, first the color fading, then the sad cold light of his eyes gone, and one last blinking of something—a jewel, a ring, a coin cupped in his palm, and darkness comes between us and is final."

A novel like Garrett's is pesty mischief because, even if it tells no lies, it cannot stick to provable truth. And the better the illusion, the more mischievous the book. Yet it would be hard to wish that he had written a different book.

■ John Skow

Id-Olatry

THE DICE MAN by Luke Rhinehart.
305 pages. Morrow. \$6.95.

Middle-age panic is an adrenaline that flows through many American novels. The hero's symptoms seldom vary. The taste of a stale marriage is on his lips. A run-of-the-treadmill job is under his feet. Falling hair is in his comb, and

gray rather than great expectations cloud his eyes. Literary ways of dealing with this theme naturally vary. The approach chosen by Luke Rhinehart for his first novel is to consider the middle-age heebie-jeebies as a condition of the soul, angst-laden with boredom and despair.

The Dice Man is a blackly comic amusement park of a book, replete with vertiginous roller coaster rides of the spirit, feverish omnisexual trips through the tunnel of love, and crazy images reflected in the distorting fun-house mirrors of the mind. The master and slave of this berserk carnival is a psychiatrist named Luke Rhinehart, after the pseudonymous author, whose real name is George Cockcroft. Cockcroft took the hero's name as his pen name "because the book is in part autobiographical and I wanted to force the reader to take the book more seriously than he would a novel." Luke is a square who learns to live by the cube. One night, after a small, drunken party, he resolves that if a die that lies hidden under a playing card has a one facing up, he will rape his best friend's wife.

Fine Mimicry. It does, and he does. It turns out that the lady is far from unwilling, since she has a bad case of middle-age milgrims herself, and her pedantic husband is a desultory bedmate. From that time on, Luke has power and fate in the palm of his hand. He jots down options, usually from one to six, and abides by the roll of the dice. What the dice-ordained life gives Luke is a sense of euphoric irresponsibility and almost infinite possibilities. When the dice order Luke to jog up and down in his office clad in track shorts, the action merely enhances his swiftly growing reputation for eccentricity. But the command to role-play a homosexual means venturing into an unknown area of experience. Luke's awkward attempts to get picked up in a Greenwich Village bar are more raffishly droll than anyone might anticipate.

Inevitably the novel itself is ruled by chance. Some sequences click, and others clunk. Much dice-induced motivation is suspect. Luke might have left his wife and children without ever touching the dice. Even when the plot dawdles, Rhinehart's language and humor exert their wiles. Though he leans more to wisecrack than to wit, he gets off fine mimicry of TV talk shows, journalistic deadpan and professional psychoanalytic jargon. Between sheets (the book is copiously copulative), Rhinehart works up a positively Joycean lather-bather.

Whenever *The Dice Man* lapses into missionary zealotry, prepare for rampant naïveté. Anarchy is not the joyous freedom that Rhinehart takes it to be, nor does the cure for civilization's discontents lie in an id-olatry. However, the book could be a boon to games-minded hostesses. During a lull at the next party, try serving dice in the martinis.

■ T.E. Kalem

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And what a hill . . . 39 runs . . . miles of trails, and getting better every year. The mountain in Steamboat Springs, Colorado, has been drawing skiers at an average annual increase of 51% over the past three years. There's every reason to believe this growth will continue. This is what makes investing in Steamboat interesting to more and more investors. Especially when the skiing industry has been growing at approximately 15% annually!

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Or take that rental car company we called "number two." That was practically Un-American.

The consumer wasn't supposed to be impressed unless you called yourself the biggest or the fattest or the most important. Something. We took a chance on truth.

We rented cars.

We have a bank client who asked us to advertise mortgage loans. Instead of advertising low-cost mortgage loans, we prepared a 1400-word 2400-line ad

Avis is only No.2
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So why go with us?



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Print is neither "hot" nor "cold." It's honest. Inherently. You're out there on the page, naked, without so much as a guitar.

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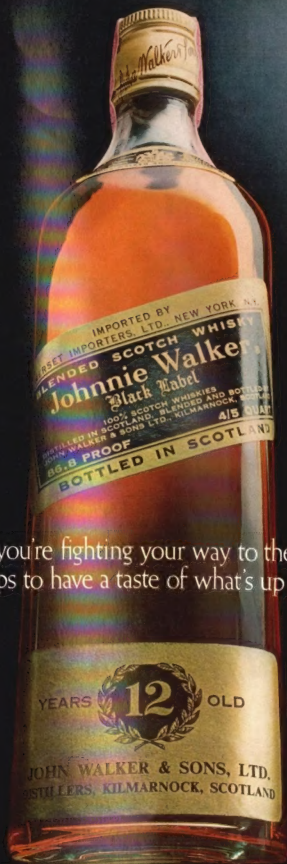
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And with print, he can take a long slow, devastating look.

We've got a confession to make; it's got nothing to do with heaven.

People are as smart as we are.

That's why we tell the truth.



As you're fighting your way to the top
it helps to have a taste of what's up there.